

**Unlocking Doors:
Addressing Gender and Racial Discrimination
in New York City's Housing Market**

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Abstract

New York City has been at the forefront of combating housing discrimination. In 1957, it adopted the nation's first law against discrimination in the private housing market. Since then, the New York City Human Rights Law has also sought to uphold equity in this domain. Despite these efforts, discriminatory housing practices against women as well as ethnic and racial minorities continue to persist. This paper explores the ongoing challenges that these marginalized groups face within the New York City housing market. It then proposes a comprehensive array of strategies aimed at eradicating such discrimination. These recommendations include enhancing mechanisms for reporting discrimination, deploying investigators to identify violators of fair housing laws, collaborating with Habitat for Humanity to amplify advocacy efforts, and promoting tax incentives and financial assistance programs to support equitable housing. Additionally, this paper advocates for investment in economically disadvantaged areas in tandem with zoning regulation reforms. Through these targeted actions, this paper outlines a pathway to achieve inclusive housing opportunities for all New Yorkers.

Introduction

In 1957, New York City set a precedent by enacting the nation's inaugural fair housing ordinance. This pioneering legislation marked a milestone in the fight against housing discrimination. It also underscored this city's role as a trailblazer in the pursuit of equal housing opportunities (Schill). As an extension of this legislation, The New York City Human Rights Law represents a comprehensive effort to ensure equality in the housing sector. By explicitly prohibiting discrimination based on a wide array of characteristics – actual or perceived race, creed, color, national origin, gender, age, disability, sexual orientation, uniformed service, marital status, partnership status, and citizenship status – it sets a robust legal standard that protects people from unjust treatment in housing matters (New York City Fair Housing Staff). This legislation is particularly significant in a city as diverse as New York where individuals from myriad backgrounds coexist.

Furthermore, The United States Fair Housing Act prohibits discrimination in housing and housing-related activities on the basis of race, color, national origin, religion, sex (including gender identity and sexual orientation), familial status, and disability. In turn, individuals who have experienced discrimination due to the aforementioned factors are entitled to file a complaint with the United States Department of Housing and Urban Development. This mechanism ensures that alleged

violations of the Fair Housing Act are duly investigated, providing a direct avenue to address discrimination (United States Department of Housing and Urban Development Staff). In addition to these local and national efforts, the United Nations' International Covenant on Economic, Social, and Cultural Rights enshrines the right of every individual worldwide to access adequate housing. This covenant underscores the obligation of United Nations member states to guarantee housing rights without discrimination of any kind – including on the basis of gender and race. Despite all of the aforementioned robust legal protections, discrimination within the New York City housing market persists.

This paper explores the manifestation of such discrimination with respect to housing practices that disadvantage women as well as gender and racial minorities. Housing-related discrimination can be defined as the less favorable treatment of individuals in the process of acquiring and/or renting real estate based solely on their demographic profiles (Ondrich et al.). This discrimination can occur throughout various stages of the housing acquisition process in New York City. These stages include, but are not limited to, the supply of housing on the market, the occupation of a dwelling, and the purchase process. Flage elaborates on this realization by distinguishing between direct and indirect forms of discrimination. Direct discrimination may occur when a New York City landlord or real estate agent explicitly refuses to rent or sell property to an individual based on gender and/or race. Indirect discrimination, on the other hand, relates to the supply of housing not being adapted to the needs of all categories of the population – thereby excluding certain groups.

Housing-related discrimination against women as well as ethnic and gender minorities can have catastrophic results. It propagates a vicious cycle of chronic instability and poverty. This cycle not only hampers efforts to remain healthy and productive but also severely undermines economic advancement. The ripple effects extend to family health, food insecurity, children's education, involvement with the criminal justice system, employment stability, and access to essential social services (Atkinson). From this perspective, housing-based discrimination is not merely a matter of shelter but linked to broader adversities.

Gender Inequities

The struggle for safe, stable, and affordable housing in New York City disproportionately impacts women as well as gender minorities, particularly those who identify as Black, Indigenous, and

People of Color (BIPOC). This demographic faces significant housing barriers stemming from gender and racial wealth gaps as well as a legacy of racialized urban planning and financial exclusion. These obstacles have been exacerbated by the dire city-wide socioeconomic repercussions of the COVID-19 pandemic (Atkinson). In turn, many of New York City's vulnerable residents have been disenfranchised. These people include BIPOC women as well as gender minorities, single mothers, and those experiencing homelessness. The Census Bureau's Household Pulse Survey Data underscores this disparity. Its findings suggest that BIPOC women as well as gender minorities are at a disproportionate risk of eviction and are generally unable to afford homeownership. This is particularly true in New York City due to housing costs that tend to far exceed the national average (Fang et al.).

Indeed, economic factors play a crucial role in housing insecurity among women and gender minorities across New York City. Gendered and racial wealth gaps severely limit housing affordability and long-term wealth-building through homeownership. The economic instability experienced by women and gender minorities at lower socioeconomic levels places them at a higher risk of eviction and chronic homelessness on a city-wide scale. Single-mother households face additional challenges due to their dual roles as sole breadwinners and primary caregivers. The situation is especially arduous for single BIPOC mothers. This is because they tend to encounter additional hurdles such as pay gaps and higher poverty rates that limit their capacity to maintain stable housing (Shaw et al.).

Unfortunately, such discrimination can result in living conditions that are insecure and unsafe – thereby increasing the risk of homelessness (The United Nations Office of the High Commissioner for Human Rights Staff). Moreover, forced evictions tend to disproportionately impact women and gender minorities in New York City. One of the causes of this phenomenon is discriminatory access to economic opportunities and financing for homeownership (Zelaya). In general, women and gender minorities – especially if they are single – face higher mortgage rates and are more likely to be denied mortgages due to weaker credit profiles (Goodman et al.). Additionally, women and gender minorities encounter challenges in securing temporary shelter (Atkinson). Overall, these findings highlight gender-based housing inequalities on a city-wide scale.

Racial Inequities

The persistence of housing discrimination on the basis of race continues to plague New York City (Krysan). Racial minorities are systematically excluded from certain neighborhoods due to biased

behaviors of landlords and realtors (Turner et al.). The role of real estate agents in perpetuating segregation across New York City can be significant. The choice of real estate agent, when influenced by race, becomes a pivotal point in the housing search process that may reinforce discrimination. As real estate agents play a crucial role in guiding homebuyers and renters towards potential homes, their influence extends beyond mere transactional assistance to shaping the demographic compositions of neighborhoods throughout the city.

Korver-Glenn observed that racial matching between homebuyers, renters, and real estate agents can pave a pathway of segregation through which housing searches are conducted. This matching system tends to reinforce existing segregation patterns in the form of white buyers predominantly using white agents, and African Americans more frequently using African American agents. These patterns suggest that the New York City real estate industry may play a critical role in maintaining segregation. The implications of this biased phenomenon are significant. If real estate agents market homes in ways that promote racially homogeneous neighborhoods, they can reinforce existing segregation patterns across all five boroughs.

Furthermore, Newburger observed that open houses are less frequently held in racially mixed or predominantly black communities. The impact of this city-wide bias extends beyond mere inconvenience. It directly influences the scope of options available to racial minority homebuyers and potentially restricts them to a narrower range of neighborhoods. This bias can ultimately impact the resources available to racial minority homebuyers and may limit their exposure to potential housing opportunities in other communities. If racial minorities are less likely to encounter open houses in diverse areas, their perception of welcoming communities might be skewed and lead them to limit their searches. This phenomenon may then contribute to a much broader social pattern of residential segregation.

In light of the aforementioned factors, racial minorities tend to adjust their housing search strategies to avoid discrimination. One way that they do so is by relying more on personal networks rather than engaging with potentially discriminatory real estate agents (Hanson and Hawley). Such strategies, while protective, limit the diversity of New York City neighborhoods and can inadvertently contribute to segregation. From this perspective, such residential preferences are shaped by concerns about discrimination and influence the racial composition of communities in ways that challenge inclusivity.

Recommendations

The New York City Human Rights Commission's efforts on behalf of women as well as racial and gender minorities can help dismantle many barriers to equitable housing. The Commission may start this process by seeking to address a significant obstacle in the fight against housing discrimination: the underreporting of discriminatory incidents. This gap in reporting is attributed to a lack of awareness among victims about their rights or the discrimination they face, coupled with the perceived emotional and financial toll of pursuing legal action (United States Department of Housing and Urban Development Office of Policy Development and Research Staff). An increasing city-wide shift towards systemic investigations of housing discrimination would be a beneficial pivot in this regard. This process can begin to address such discrimination proactively, rather than relying solely on individual complaints. This novel approach has been exemplified by forward-thinking investigations into specific practices such as lending discrimination against prospective mothers on maternity leave. The relative success of this initiative highlights a promising city-wide pathway to addressing housing discrimination at its roots.

Advanced technology and data analysis that is personalized to New York City residents can also help identify potential incidents of housing discrimination. By analyzing census data with a geographic information system mapping tool, the Fair Housing and Justice Center may target areas of interest for further investigation (Fair Housing and Justice Center Staff). Subsequently, investigators can be dispatched to uncover fair housing violators. This methodology would represent an evolution in New York City's ongoing struggle against housing discrimination. By strategically using technology in this way, the capacity to detect discrimination can be amplified and a precedent can be set for how to proactively respond to it.

Furthermore, Habitat for Humanity's city-wide campaigns serve as pivotal initiatives in advocating for anti-biased housing and land use policies. By focusing on comprehensive policy reform, Habitat for Humanity aligns its efforts with a broader mission to foster housing equity and demonstrates the importance of sustained advocacy to catalyze change across all five boroughs (Habitat for Humanity New York City and Westchester Staff). The organization's advocacy focus in New York City includes a number of recommendations. Among the most ambitious of these proposals that can benefit women as well as racial and ethnic minorities is championing the Faith-Based Affordable Housing Act. This pivotal legislation is designed to support faith-based institutions in their efforts to

develop housing for disenfranchised communities. This act acknowledges the potential of faith-based organizations as crucial partners in addressing discrimination by utilizing their available land and other resources for affordable housing projects.

Habitat for Humanity's support for instituting a Fast Track Approval process for New York City housing developments in communities that fall short of housing targets can also help curb discrimination. Through this initiative, the construction of new housing units can be encouraged in areas where local barriers have historically impeded development due to issues such as racial discrimination. In turn, this can help ensure that underserved communities meet their housing needs more effectively. Additionally, requiring all boroughs to contribute to equitable housing initiatives at an increased rate can be a crucial step (Habitat for Humanity New York City and Westchester Staff). This mandate could ensure that city-wide communities play a part in addressing the housing crisis and promote a more inclusive approach to this issue.

On the taxation front, existing New York City tax exemptions, abatements, and assessment practices tend to inadequately protect the affordability of homes (Zaveri). This is especially true of building projects that are fueled by non-profit organizations and Community Land Trusts. These dwellings are often subject to unfair tax assessments that can jeopardize their affordability for underserved communities such as racial and gender minorities. Targeted legislation and an as-of-right partial tax exemption for income-restricted homes can be essential for correcting these disparities. These measures may offer a more stable financial foundation for affordable and resale-restricted housing on a city-wide basis.

In addition, Freeman and Harden emphasize the significance of increasing access to down payment assistance. This can serve as a critical step towards closing the homeownership gap for women as well as racial and gender minorities in New York City. Down payment assistance programs in the form of matched savings initiatives and advanceable tax credits can be beneficial. Indeed, they may represent tangible measures to address financial barriers that often prevent homeownership among such disenfranchised communities. These programs not only offer immediate relief but may also contribute to long-term wealth building for women as well as racial and gender minorities. It is also important to consider expanding access to affordable credit as a means of counteracting the injustices of discriminatory lending across New York City. Extending more affordable credit to women as well as racial and ethnic minorities can begin to rectify the economic disparities that have long

hindered equitable homeownership (Dey and Brown). This approach necessitates a re-evaluation of often biased and entrenched lending practices. In essence, it calls for the implementation of credit extension policies aimed at leveling the playing field for disempowered homebuyers.

Moreover, the strategies proposed by Acolin et al. for reinvesting in formerly redlined and economically distressed neighborhoods may effectively address housing discrimination across New York City. They highlight a comprehensive approach to revitalizing communities while ensuring that existing residents and businesses are not displaced. Specifically, related tax incentives, property tax relief, and investments in home repairs are identified as critical tools for fostering community development and expanding affordable homeownership opportunities in such neighborhoods. These interventions are designed to counteract a legacy of disinvestment and offer a blueprint for city-wide housing inclusivity.

The reformation of zoning regulations represents a final step toward combating housing discrimination. By adjusting zoning laws to accommodate a wider variety of housing types, New York City can significantly enhance its residential diversity. This can make neighborhoods more accessible to individuals from different income levels and demographic backgrounds. Einstein highlights the importance of such reforms. This is particularly true regarding the reduction of minimum size requirements for homes and lots, as well as more frequently permitting a broader range of housing types such as duplexes, triplexes, and apartments to facilitate the development of mixed-income communities. These changes can help to dismantle socioeconomic barriers that often segregate New Yorkers from one another.

Conclusion

Housing justice in New York City is intrinsically linked to gender and racial justice. This perspective invites a holistic approach to addressing housing discrimination. By situating housing justice within the context of social justice, a number of comprehensive strategies surface that can address the causes of such discrimination. To this end, The New York City Human Rights Commission can encourage widespread reporting of housing discrimination, proactively dispatch investigators to uncover fair housing violators, partner with Habitat for Humanity's robust advocacy campaigns, encourage city tax exemptions, abatements, and assessment practices that foster affordable housing, increase access to down payment assistance and credit, invest in economically distressed

neighborhoods, and engage in zoning regulation reforms. When combined, these approaches can empower women as well as racial and gender minorities by creating equitable housing policies on a city-wide scale.

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