

HOUSING DISCRIMINATION AND OPPORTUNITIES
IN THE STATE OF CONNECTICUT

THE CONNECTICUT COMMISSION ON HUMAN RIGHTS
AND OPPORTUNITIES
90 Washington Street
Hartford, Connecticut

THE COMMISSION

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FOREWARD

STATE OF CONNECTICUT
EXECUTIVE CHAMBERS
HARTFORD, CONNECTICUT



WILLIAM A. O'NEILL
GOVERNOR

It is a pleasure for me to have the opportunity to greet all who have gathered for today's fact-finding hearing sponsored by the Commission on Human Rights and Opportunities.

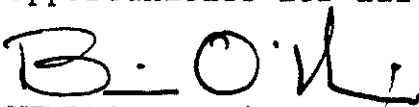
Although equal housing is a right guaranteed to all Americans under Title VIII of the 1968 Civil Rights Law, the struggle against discrimination in housing continues. The right to equal housing, and how effectively we meet this responsibility, determines in large measure the quality of life in our state and in our nation.

Connecticut has a long and proud record of enacting legislation which guarantees the right to fair and equal housing opportunity. Connecticut law prohibited discrimination in housing even before federal legislation was enacted. Discrimination in public housing was specifically prohibited in 1949, and the original Public Accommodations statute of 1905 was further expanded in 1963 to limit its exceptions and add protected classes.

The Commission on Human Rights and Opportunities has played a vital role in our progress in this area and should take great pride in the record of achievement it has established in all facets of human rights.

This public hearing is an excellent example of the Commission's efforts to expose discriminatory housing practices in our state, and to help assure that fair housing is a reality for all the people of Connecticut.

It is a privilege for me to commend the Commission for its outstanding work. It is my hope that this hearing will be a productive and most worthwhile occasion, and that the people of our state will take this opportunity to reacquaint themselves with the rights and responsibilities we as Americans share in assuring equal rights and opportunities for all our citizens.


WILLIAM A. O'NEILL
Governor

PREFACE

The hearings and this report were an enormous undertaking. It is impossible to thank all who contributed. However, we wish to acknowledge some of the contributors to this endeavor.

First, the Commission expresses its gratitude to the citizens of Connecticut who testified at the hearing. We particularly thank those persons who testified regarding actual acts of discrimination against them. The emotional impact of discrimination on people was recreated in their compelling testimony. We also thank the political, religious and social leaders and officials who presented the views of their constituencies and their experience addressing this problem.

Logistics are a major concern in an undertaking of this size. We express our appreciation to the mayors of Bridgeport, New Haven and Waterbury and to the city managers of Hartford and Norwich for making their facilities available for the hearings. We thank Spanish American Development in Bridgeport, the Junta for Progressive Action in New Haven, New Opportunities for Waterbury in Waterbury, Lillian Morales Fletcher in Norwich and the San Juan Center in Hartford for providing Spanish translators. We also thank the Connecticut State Police for security services.

The Commission must rely on its staff to accomplish its work. This is particularly true in the case of fact-finding hearings. We congratulate the staff for the splendid assistance and support provided in the hearings. We thank the Special Projects Division for their organization and field support. We especially thank Attorney Sharon Scully who wrote this report with the able clerical assistance of Ms. Linda Civitillo and Ms. Shirley Esakov.

Housing discrimination and availability are major problems in the State of Connecticut. They directly impact the quality of life of our citizens. We hope that this report provides the direction and impetus to address those problems with greater vigor and effectiveness.

I. INTRODUCTION

In the spring of 1985, the Commission on Human Rights and Opportunities¹ (hereinafter the "Commission" or "CHRO") conducted a series of fact-finding hearings² on Housing Discrimination and Opportunities in Connecticut. The purpose of the hearings was to ascertain the amount and types of housing discrimination being practiced. The CHRO processed 160 housing discrimination cases in fiscal year 1984-1985, 177 cases in 1983-1984, 136 cases in 1982-1983, 134 cases in 1981-1982. There was a general consensus among the Commissioners and agency staff that the number of housing discrimination complaints filed with the CHRO was far below the amount of discrimination actually being practiced.

This belief was reinforced by an article published in the Bridgeport Post-Telegram on January 25, 1985, entitled "Survey Finds Bias in Rentals" written by William McGuire and Ebong Udoma. An excerpt from this newspaper article follows:

City rental agents appear to discriminate against black families by steering them toward undesirable apartments in poor inner-city neighborhoods, a Telegram survey shows.

Two reporters from the newspaper posed as apartment seekers at more than a dozen rental agencies during two weeks this month. First, a black reporter would visit each office to inquire about apartments. A white reporter followed with the same inquiry.

Both dressed neatly, asked for the same size apartment and listed the same background and income.

¹ The CHRO is the state agency responsible for enforcement of Connecticut's anti-discrimination laws.

² The CHRO has statutory authority to conduct fact-finding hearings pursuant to Connecticut General Statutes Sections 46a-54, 46a-56, 46a-56(2).

The only significant difference was the color of the applicant's skin.

In each case, the black tester was discriminated against. Not one agency visited during the test offered the same apartment to the black tester as the white tester.

In some instances, the black tester was told that there were no apartments available.

The agencies surveyed control a substantial portion of the available apartments in Bridgeport, the state's most populous city, which is more than 40 percent non-white

From the first test to the last, the team found a pattern of apparent discrimination against the black tester, who was offered inferior apartments in deteriorated sections of the city.

In conducting their survey, the two reporters used the Connecticut Fair Housing Testers Manual which was developed by the CHRO. Although the reporters' test was limited to a small sample of agencies in one city, the results of the test could not be ignored. The test seemed to uncover the widespread use of discriminatory steering in Bridgeport.

Testing is an excellent way to uncover discriminatory steering. But what about other forms of housing discrimination? The fact-finding hearings were seen as a quick and efficient way to gauge the climate of discrimination in the state. In order to be an effective measuring device, other reasons for disparate treatment had to be considered at the hearings, such as economics and the availability of housing units. The topic of housing opportunities in Connecticut was made an integral part of the fact-finding hearings.

The hearings were convened in five separate locations throughout the state for the convenience of people who wished to testify or attend. Both day and evening sessions were held, and all locations were wheel-chair accessible. Spanish-speaking interpreters were available at each location. The hearings

were convened on April 22, 1985 at the Bridgeport City Hall; April 24, 1985 at the New Haven City Hall; April 30, 1985 at the Waterbury City Hall; May 7, 1985 at the Norwich City Hall; and May 14, 1985 at the Hartford City Hall.

The press and public were informed of the various hearings by a press release dated April 12, 1985. Letters of invitation were specifically addressed to the Governor, chief executive officers, state legislators, and elected officials of the Federal government as well as Connecticut municipalities. Many members of fair housing agencies, religious and civic groups and real estate trade associations were also invited to attend. The Commission subpoenaed the realtors who were the subject of the Bridgeport-Post Telegram survey, and other realtors who control a large part of the rental housing market in the Hartford metropolitan area. At the beginning of each hearing the presiding Commissioner announced that ". . . a very broad range of opinion [would] be entertained in keeping with the fundamental principle of free speech guaranteed by the Connecticut and United States Constitutions."

Altogether, 121 witnesses gave testimony, 68 exhibits were received, and a verbatim record of the proceedings was made. The Commission extends its appreciation to all witnesses who contributed testimony or submitted exhibits. This report contains a summation of the evidence gathered at the hearings which has resulted in the Commission making 24 findings of fact and 23 recommendations.

II. DISCUSSION OF THE FINDINGS OF FACT

The findings of fact were adduced as follows. All testimony gathered at the fact-finding hearings on Housing Discrimination and Opportunities in Connecticut was transcribed. The written transcript was reviewed page by page. Witnesses' statements were divided into issues. Testimony related to issues was collected together and read again for consistency, persuasiveness, and relevancy to the purpose of the hearings. Exhibits were then included for review. Finally, where a collection of testimony and exhibits was persuasive, consistent, and relevant, a finding was made. There was no rigorous cross examination of witnesses and no authentication of exhibits submitted. However, the witnesses who testified took an oath to tell the truth. All of the testimony and exhibits were very carefully analyzed before the findings were made.

For ease in reading, the findings were separated into subtitles which define the subject of inquiry. Each finding of fact will be individually discussed in this chapter. Below is an outline of the findings of fact in the order in which they will be discussed.

THE COMMISSION ON HUMAN RIGHTS AND OPPORTUNITIES
MAKES THE FOLLOWING FINDINGS OF FACT
REGARDING HOUSING DISCRIMINATION AND OPPORTUNITIES
IN CONNECTICUT:

A. ON RACIAL AND ETHNIC DISCRIMINATION:

- A-1. Steering by real estate agents in both the selling and rental of property is a serious problem in Connecticut.
- A-2. In the private sector, landlords discriminate by screening out rental applicants over the phone who sound Hispanic or Black.
- A-3. Blacks who are able to get through the various screening devices are often rejected on sight.

A-4. Discriminatory steering and screening practices prevent minorities from renting property in predominately white neighborhoods, which reinforces segregated housing patterns.

B. ON DISCRIMINATION AGAINST FAMILIES WITH CHILDREN:

B-1. Many people, both landlords and tenants do not know that it is illegal to discriminate against families with children.

B-2. Newspaper ads which specify "Adults Only", "Adults Preferred", and "No Children" often contribute to and foster discrimination against families with children.

B-3. Families with children are overtly discriminated against.

C. ON DISCRIMINATION AGAINST WOMEN:

C-1. Female single heads of household are the group most heavily impacted by discrimination against families with children.

C-2. Sexual harassment is a form of housing discrimination practiced against women.

D. ON DISCRIMINATION AGAINST THE PHYSICALLY DISABLED OR MENTALLY IMPAIRED:

D-1. There is a shortage of housing which accommodates the physically disabled and their families.

D-2. There is strong resistance in Connecticut to group homes for the mentally disabled and mentally retarded.

D-3. There is a gap in Connecticut's public accommodations statute because it does not protect individuals with a past or present history of mental illness.

E. ON DETECTING DISCRIMINATION:

E-1. The number of housing discrimination complaints filed does not accurately reflect the amount of discrimination which exists.

E-2. There are several reasons why people who have been discriminated against do not file complaints.

E-3. Discriminatory steering and screening practices are difficult to detect because they are so subtle, and the subtlety of the discrimination is a major reason why victims do not file complaints.

E-4. Testing is an excellent way to uncover discrimination.

F. ON ECONOMIC FACTORS IN DISCRIMINATION:

- F-1. There is a severe shortage of low and moderate income rental property in Connecticut.
- F-2. The shortage of low-income rental property forces poor people to live in substandard, dilapidated housing.
- F-3. There is discrimination against tenants who receive public assistance.
- F-4. Public Housing projects are not meeting the needs of poor people.

G. ON ZONING:

- G-1. The exclusionary planning and zoning activities of suburban towns severely limit the housing choices for members of protected classes.

H. ON DAMAGES AWARDS IN CHRO CASES:

- H-1. There is a disparity between housing discrimination awards rendered by the Commission and damage awards for similar cases in the federal courts.
- H-2. The Commission needs clear, unambiguous statutory authority to award emotional distress damages in housing discrimination cases.
- H-3. The provision of the Public Accommodations Act which sets the maximum double damages award which a court can award in a housing discrimination case at \$500.00 is too low.

(A)
FINDINGS OF FACT ON RACIAL
AND ETHNIC DISCRIMINATION

The Commission received a great deal of testimony on the subject of racial and ethnic discrimination. The predominant issue raised at the hearings involved the subtlety of the discrimination, as evidenced by various screening and steering devices. Based upon the evidence received, the Commission makes the following findings of fact.

Finding of Fact A-1
STEERING BY REAL ESTATE AGENTS IN
BOTH THE SELLING AND RENTAL OF PROPERTY
IS A SERIOUS PROBLEM IN CONNECTICUT

Steering is a process whereby real estate agents direct or "steer" people to certain neighborhoods and not to others because of the homeseeker's racial or ethnic background. In the words of Robert E. Lampkin III, a fair housing assistant at the New Haven Commission on Equal Opportunities, steering is a process where "Black people are shown certain neighborhoods, White people are shown certain neighborhoods, Hispanics are shown certain neighborhoods."

Fair housing advocates from Hartford, New Haven, Bloomfield, Bridgeport and Danbury testified about the existence of steering in their communities. However, as John Saunders, Executive Director of the Urban League of Greater Hartford said:

Although we have received a sizeable number of complaints, through the Urban League's Housing Counseling Service, about steering and disparaging comments about certain neighborhoods and towns in the Capitol Region, the precise level of discrimination in the Hartford area is difficult to measure. Many people are unaware that discriminatory practices are being used against them.

Steering is a very subtle process. Often, the homeseeker who is being steered does not know it. This makes it extremely difficult to measure the amount of steering that is taking place.

One way to measure the amount of discriminatory steering is to conduct a test like that done by two reporters, one Black and one White, from the Bridgeport Post-Telegram. Each reporter visited the same real estate office, portraying the same income level and requesting the same size apartments. They visited twelve real estate agencies in the Greater Bridgeport area and reported steering in every instance. The Black reporter was allegedly directed to apartments in Black neighborhoods and the White reporter was allegedly directed to apartments in White neighborhoods.

When confronted by this news story, Ben Mastroni, manager of one of the agencies visited, replied "Some landlords say they don't want coloreds and we have to go by that." (Excerpted from the Bridgeport-Post Telegram article, "Survey Finds Bias in Rentals," dated January 25, 1985). The Commission subpoenaed Mr. Mastroni to the Bridgeport hearing. Mr. Mastroni testified that his prior statement was made on the mistaken belief that it was acceptable to steer for landlords who were renting their owner-occupied buildings, which are exempt under the Public Accommodations Act. After the article appeared, Mr. Mastroni realized that it was not legal for him, as a licensed real estate agent, to steer prospective tenants, even when an owner-occupied dwelling is concerned. As a result of the newspaper expose, Mr. Mastroni claims that he made a sincere effort to change his office policies, and his rental listings dropped by 40 percent.

Mr. Mastroni's testimony gives us cause to wonder whether real estate agents steer for landlords because of the economic benefit, or because they do not know

the law. Prospective real estate salespeople usually take thirty hours of instruction to prepare for the licensing exam, and only three hours are on fair housing laws. Although prospective licensees are given a copy of the Public Accommodations Act, steering is not specifically prohibited by the Regulations Concerning the Conduct of Real Estate Brokers and Salesmen. Whatever the motivation is for real estate agents who steer, the testimony of several witnesses at the fact-finding hearings indicated that steering is a serious problem in Connecticut.

Steering is a screening device used exclusively by real estate professionals. Screening devices used by private landlords are the subject of the next finding of fact.

Finding of Fact A-2
IN THE PRIVATE SECTOR, LANDLORDS DISCRIMINATE BY
SCREENING OUT RENTAL APPLICANTS OVER THE PHONE
WHO SOUND HISPANIC OR BLACK

The majority of newspaper ads for rental housing list the landlord's telephone number, but not the address of the property. All prospective tenants must call the landlord in order to find out about the apartment. If a prospective tenant's speech is identified as either Black or Hispanic, many landlords who wish to discriminate will tell the caller that the apartment is no longer available for rent. So testified many witnesses at the fact-finding hearings. Another variation on this theme involves the use of recording devices whereby the caller is told to leave his/her name and telephone number. If you are identified as Black or Hispanic, chances are that you will never be called back.

Sometimes a landlord, protected by the anonymity of the phone will ask questions to ascertain the caller's race or ethnic background. This happened to

Gilbert Lee Davis, a Black man searching for an apartment in Bridgeport. Mr. Davis testified:

The woman must have spent about ten minutes trying to figure out, was I black or white. She asked me, what nationality are you? I said, I'm American, I was born in the United States. She said, I know but what nationality are you? I said, well ma'am, I don't know any other nationality. I was born in the United States and so was my parents and my grandparents and their grandparents. She says, well, are you Irish or Italian? I said, no, I'm an American. She said, well are you black or white? I said, well, I'm a mulatto and she hung up the phone.

Mr. Davis further testified that he felt "deeply degraded" and "humiliated" by this experience.

Dwight Bachman of Hartford was not asked any questions about his race. However, being forewarned that his race might present a problem, he volunteered information that he was Black to a landlord that he talked to over the phone. Mr. Bachman painfully recalled the experience as follows:

So I asked the guy right up front, I said, "Well, look, I'm black, is that going to present some problem?" And he said yes, but not to him, to the other people who lived in the house and he hung up on me.

Mr. Bachman testified that this incident left him "feeling very sick".

Many community workers reported similar incidents. One of the resources that community service centers supply is the use of a telephone to inquire about apartment rentals. Both Pat Bazinet of N.I.N.E. and Sister Virginia McCrossan of Green Community Services have witnessed their clients, who are mostly Black and Hispanic, being screened and rejected over the telephone. People are screened out because of their race, ethnic background, number of children, or status as welfare recipients. As Sister Virginia McCrossan of Waterbury summed up "[T]here

is no way of getting past a phone call, especially if you are black or your speech is identified. There is no way of getting even to see a rent . . . [T]his is a severe problem"

Based upon the testimony received, the Commission finds that many landlords use the telephone to screen out minority callers. The next finding of fact reviews the testimony of Blacks who were able to get through the various screening devices, only to be rejected on sight.

Finding of Fact A-3
BLACKS WHO ARE ABLE TO GET THROUGH THE VARIOUS SCREENING DEVICES
ARE OFTEN REJECTED ON SIGHT

When the screening devices fail, unscrupulous landlords and real estate agents have a contingent plan. They tell the minority person who shows up to inspect the apartment that it is no longer available.

Imagine having an appointment to inspect an apartment, and being told that it has already been rented once you arrive. This happened to Gilbert Lee Davis of Bridgeport. Mr. Davis described the incident as follows:

[I] saw an apartment in the paper and I called them. This agency happened to be about a five minute drive from where I lived and they said, come on down. They didn't know I was black. I got there in about five minutes and he (the real estate agent) told me, I have never seen anything like it. As soon as you hung up, people came from everywhere and it was rented in five minutes.

Mr. Davis believed that the real estate agent was lying to him about the unavailability of the apartment, and that the apartment would have been "available" if Davis was White. Mr. Davis was outraged that a real estate agent could block access to an apartment which was advertised in the newspaper. He also felt dejected that he could not seem to find a decent apartment for himself and his family in Bridgeport.

Laura Best-Reese, a Black woman from Norwich, described a similar incident. She had an appointment to see a three-bedroom home which was for rent.

Ms. Best-Reese painfully recalled the experience as follows:

When we arrived a little before time, the landlord rushed to the car -- this is before we could get out, and said that he had decided to rent the apartment to the sister-in-law of the present tenant.

My response was, that it was a likely story. I found it strange he had called me a few hours before to come and see a home, to rent a home and as soon as I get there with my three children and my husband, he rushes to the car and tells us that the home is not available.

The impact of this incident was really great on my two older children. They immediately said that "Mom, he didn't want to rent to us because we are black." That's how he reacted to us . . . when I pulled up in the driveway, he was startled when he saw it was us, the children and I, and that we were black.

This landlord's smoke screen for discrimination was so transparent that children could see it, and feel the consequences of it.

Perhaps the most disturbing story of rejection that the Commission heard, was told by Dwight Bachman. Mr. Bachman is a Black man who made an appointment to see an apartment through a real estate agent. When Mr. Bachman arrived at the apartment, he claims that he was rushed through it by both the real estate agent and the landlady. When he offered a security deposit, it was refused on seemingly bogus grounds. Mr. Bachman testified that at the conclusion of this meeting, the real estate agent "apologized to the owners, she said, 'I'm so sorry' and I interpreted that, for bringing this nigger by here. I had no other way to interpret it."

All of these witnesses suffered emotional distress as a result of discrimination. They testified about feeling "deeply degraded", "humiliated",

"sickened", and "angry". Emotional distress may not be visible, but it is a very real and lasting effect of discrimination. In the next finding of fact, the Commission turns its attention to a visible effect of discrimination, namely, segregated housing patterns.

Finding of Fact A-4
DISCRIMINATORY STEERING AND SCREENING PRACTICES
PREVENT MINORITIES FROM RENTING OR BUYING PROPERTIES IN
PREDOMINATELY WHITE NEIGHBORHOODS, WHICH
REINFORCES SEGREGATED HOUSING PATTERNS

As State Representative Lynn Taborsak of Danbury said, ". . . it's not coincidence that people end up in homogenous groupings." The Commission agrees. In findings of fact A-1 and A-2, we found that steering and screening practices continue to exist in Connecticut. The logical result of such practices is the continuation of segregated housing patterns.

Segregation is a visible result of discrimination. One has only to look at the occupancy of various neighborhoods to determine that segregation exists. As Mayor Thirman Milner of Hartford said "[H]ousing discrimination . . . has left a pattern in our city of long term segregation." Hartford is not unique in this respect. Rosemarie Giunta, the coordinator of the Shelter Services Program for Abused Women in Bridgeport, testified that Bridgeport is ". . . still very stratified according to race." Vassar Knight, Director of the Northeast Center of NOW in Waterbury, pointed out that the housing complexes in Waterbury seem to be divided into caucasian or minority complexes. While cities are segregated, the suburbs are, for the most part, totally devoid of any minority inhabitants. This is also segregation.

Connecticut has 169 cities and towns. In 1978, the Commission conducted a

study³ which showed that 85 percent of the state's minority population lived in twenty central cities and towns. This concentration of minorities in a small percentage of Connecticut communities still holds true in 1985, according to Ben Andrews, the state president of the NAACP.

Blatant discrimination may have been responsible for segregation twenty-five years ago; but subtle forms of discrimination such as steering and screening, continue the legacy of segregation today.

³ The Status of Equal Housing Opportunity, Connecticut Commission on Human Rights and Opportunities, (May, 1978).

(B)
FINDINGS OF FACT ON DISCRIMINATION
AGAINST FAMILIES WITH CHILDREN

Discrimination against families with children in the rental of certain dwelling units became illegal in 1981, with the enactment of Connecticut General Statutes Section 46a-64a. This law is not well-known because it is so new. The Commission heard testimony that families with children are openly discriminated against. Several newspaper ads which specified that families with children would not be rented to, were submitted to the Commission as exhibits. The Commission has carefully evaluated this evidence, and makes the following findings.

Finding of Fact B-1
MANY PEOPLE, BOTH LANDLORDS AND TENANTS, DO NOT KNOW
THAT IT IS ILLEGAL TO DISCRIMINATE
AGAINST FAMILIES WITH CHILDREN

Connecticut enacted Conn. Gen. Stat. Sec. 46a-64a in 1981. This statute prohibits discrimination against families with children in the rental of certain dwelling units. The following rental units are exempt from operation of the statute: one-family houses, two-family houses, and owner-occupied buildings containing no more than four separate dwelling units. In the CHRO fiscal year 1981-1982, only 4.3 percent of the housing claims received by the Commission involved the issue of discrimination against families with children. In the CHRO fiscal year 1984-1985, 19.27 percent of the housing discrimination claims received by the Commission were brought under Conn. Gen. Stat. Sec. 46a-64a. This increase suggests that people are becoming more aware of the law which prohibits discrimination against families with children.

However, many people, both landlords and tenants, do not know that it is illegal to discriminate against families with children. Frances Calafiore, who

works as a housing specialist in the Connecticut Superior Court noted that " . . . the majority of the landlords are totally unaware of 46a-64a and . . . tenants, with very few exceptions, are unaware . . . and don't know the law office (sic) [offers] protection for them." Ms. Calafiore works as a mediator between landlords and tenants in housing cases, and has considerable experience in this area.

Judge Samuel Goldstein of the Hartford Housing Court shares Ms. Calafiore's perceptions. Judge Goldstein noted that people are aware of the law against discrimination based on race, national origin, creed, sex, or color "but that the community is not aware of the law prohibiting discrimination against families with children."

The overt way in which families with children are discriminated against lends support to the Commission's finding that many people are unaware of Conn. Gen. Stat. Sec. 46a-64a. The majority of landlords today would never admit that they refused to rent to someone because of race. This is because landlords are aware of their liability for admitting such a practice. However, landlords will often admit to not renting to someone because of children.

Some landlords openly advertise that they do not rent to families with children. The next finding of fact examines the discriminatory effect of these advertisements.

Finding of Fact B-2
NEWSPAPER ADS WHICH SPECIFY "ADULTS ONLY", "ADULTS PREFERRED"
AND "NO CHILDREN" OFTEN CONTRIBUTE TO
AND FOSTER DISCRIMINATION AGAINST FAMILIES WITH CHILDREN

Many witnesses brought newspaper advertisements for apartment rentals to the attention of the Commission which specified "No Children", "Adults Only", "Adults Preferred" and "Working Couple Only". All of these advertisements were from Connecticut newspapers. None of these advertisements contained sufficient

information for the Commission to be able to ascertain whether or not the apartments offered were in statutorily-exempt buildings. As the law is currently written, a landlord or his agent can discriminate against families with children in the rental of these statutorily-exempt buildings: one-family houses, two-family houses, or owner-occupied buildings containing no more than four separate dwelling units.

A newspaper that publishes "No Children" in an advertisement for the rental of a non-exempt dwelling is aiding and abetting the landlord in an illegal, discriminatory practice. An advertisement such as "Adults Preferred" for a non-exempt dwelling is also a violation of the law. Such an ad fosters discrimination because very few people with children are going to respond to it.

In some limited circumstances, as discussed above, discrimination against families with children is legal. However, most ads restricting children do not contain sufficient information for anyone to be able to determine whether or not the restrictions are legal. To be sure, some of these ads are illegal. Newspapers that accept these ads have a responsibility to determine whether or not the advertisement is illegal, especially since people tend to think that such restrictions must be legal if a newspaper will print them.

The Commission objects to the publication of restrictive rental policies on two grounds. First, newspapers that fail to ascertain the legality of an ad may be contributing to a discriminatory act. Second, publication of restrictive rental policies fosters the belief that discrimination against families with children is acceptable. Based upon the foregoing reasons, the Commission finds that newspaper ads which specify "Adults Only", "Adults Preferred", and "No Children" often contribute to and foster discrimination against families with children.

Finding of Fact B-3
FAMILIES WITH CHILDREN ARE OVERTLY DISCRIMINATED AGAINST

Several witnesses who have children told the Commission of their trials and tribulations in attempting to secure housing for themselves and their families. Gilbert Lee Davis of Bridgeport spoke of his frustration, when eight out of ten places that he inquired about renting did not allow children. Patricia Bauer of Jewitt City testified that she has called landlords who have advertised that they accept pets and has asked them if they will take children. Invariably, the answer is no. Ms. Bauer remarked that these landlords " . . . will take a dog, cat, horse, whatever, but no children" Ms. Bauer is a married woman with three children who has been searching for an apartment for several months. Ana Pellet of New London testified that she has been looking for an apartment for over a year. Ms. Pellet is a single parent on welfare, with three children. Landlords have been forthright in telling her that they do not accept children.

These witnesses came forward to testify about a problem that they thought was legal. Their testimony indicated that discrimination against families with children is not limited to statutorily-exempt buildings. The Commission finds that families with children are overtly and illegally discriminated against.

(C)
FINDINGS OF FACT ON DISCRIMINATION
AGAINST WOMEN

The Commission heard testimony on two divergent forms of discrimination that plague women in housing. One form of discrimination involves women who are single heads of household. These women are the group most heavily impacted by discrimination against families with children. The other form of discrimination raised at the hearings, was sexual harassment of women tenants. The Commission has made a finding of fact on each issue.

Finding of Fact C-1
FEMALE SINGLE HEADS OF HOUSEHOLD ARE THE GROUP MOST
HEAVILY IMPACTED BY DISCRIMINATION
AGAINST FAMILIES WITH CHILDREN

In 1980, the Department of Housing and Urban Development (hereinafter "HUD") conducted a nation-wide study on discrimination against families with children.⁴ It was found that 48 percent of the people who alleged discriminatory treatment were single heads of household; and that all but three of these people were women. HUD determined that "Female heads of household experience associated problems related to no-children policies more frequently than married households."⁵

In 1985, the CHRO processed 41 complaints of discrimination against families with children. Female single heads of household filed 26 actions; married couples filed 8 actions; and single male heads of household filed 7 actions. Sixty-three

⁴ "How Restrictive Rental Practices Affect Families with Children", prepared by the U.S. Department of Housing and Urban Development Office of Policy Development and Research (Washington, D.C.: Government Printing Office, 1980).

⁵ Ibid., at page 3.

percent of the actions were filed by female single heads of household which supports the finding that women are most heavily impacted by discrimination against families with children.

John Saunders, the Executive Director of the Urban League of Greater Hartford, testified that over 75 percent of the housing complaints that his agency receives involve overt discrimination against female heads of household.

Claude L. Perry, Sr., the Fair Housing Officer of Ansonia, testified that his office formed a citizen participation board in order to determine the scope of discriminatory practices being committed in Ansonia. The board found that the "highest discrimination" was that against "females with a child" Candida Scharf, a family advocate of the Coordinating Council for Children in Crisis, testified that "Discrimination against children, especially single women with children, is the problem our families are facing" in their search for housing. Based upon the foregoing evidence, this Commission finds that female single heads of household are the group most likely to suffer from discrimination practiced against families with children.

Finding of Fact C-2
SEXUAL HARASSMENT IS A FORM OF HOUSING DISCRIMINATION
PRACTICED AGAINST WOMEN

Diane Goldsmith, the Education Director of the Connecticut's Women's Educational and Legal Fund (CWEALF), spoke at length about the problem of sexual harassment in housing. Ms. Goldsmith's knowledge stems from talking to victims of discrimination. Ms. Goldsmith testified:

I talk to a lot of women and some of them have complained about sexual harassment in housing. They tell me that they are subjected to demands

for sexual relations, dates, subjected to inappropriate touching, rude and obscene language and gestures. In return for trying to maintain their integrity and live their lives, women are sometimes evicted, continuously threatened with eviction, face unfair rent increases, or have their heat or electricity turned off. Women face sexual harassment when they are seeking housing as in "you want this apartment? This is all you have to do to get it . . ." and they face it once they are in an apartment as in the case of women who continually struggle with landlords or supers who won't fix the plumbing or heating without demanding sexual favors.

This is most pervasive with women without choices, poor women, women with children, women in housing projects, women who don't have the opportunity to get up and move.

Richard L. Tenenbaum, an attorney with Connecticut Legal Services, also testified about sexual harassment in the home. When a female tenant refuses the landlord's sexual advances, Tenenbaum stated that the ". . . usual response is eviction or termination of services."

Sexual harassment is a form of sex discrimination prohibited by Connecticut's Public Accommodations Statute. However, as Ms. Goldsmith testified ". . . victims of sexual harassment are not aware that what is happening to them is illegal . . ." The Commission finds that sexual harassment is a form of housing discrimination practiced against women, but that victims of this act do not know it is illegal.

Connecticut has addressed the problem of sexual harassment in employment by incorporating a specific prohibition in the Fair Employment Practices Act. A specific prohibition against sexual harassment is also needed in the Public Accommodations Act.

(D)
FINDINGS OF FACT ON DISCRIMINATION
AGAINST THE PHYSICALLY DISABLED
OR MENTALLY IMPAIRED

The first finding of fact in this section involves discrimination against the physically disabled, based upon evidence that there is a shortage of housing which accommodates the physically disabled and their families. The second finding of fact addresses discrimination against the mentally retarded and mentally ill, as manifested by community resistance to group homes which house people with mental disabilities. The third finding of fact points out that individuals with a past or present history of mental illness are not a protected class under Connecticut's Public Accommodations Act.

Finding of Fact D-1
THERE IS A SHORTAGE OF HOUSING WHICH ACCOMMODATES
THE PHYSICALLY DISABLED AND THEIR FAMILIES

"Affordable, accessible housing for people who have mobility limitations is difficult to find and in some areas simply doesn't exist" according to Alberta Richetelle, a member of the Board of Directors of the Connecticut Coordinating Committee of the Handicapped. Ms. Richetelle uses a wheelchair. She moved from Wisconsin to New Haven to attend Yale several years ago. It took Ms. Richetelle several months to locate an affordable, wheelchair accessible apartment.

The real estate agents that Ms. Richetelle spoke to, suggested that she look into housing projects for the elderly. "After all, these were units that were affordable and many were wheelchair accessible." This was not a viable alternative for Ms. Richetelle because she had an eleven year old daughter who needed to live in an area where there were other children. Ms. Richetelle testified:

It is my belief that too often housing that is suitable for persons with disabilities, especially those of us who have mobility limitations is located in remote places in special complexes for handicapped persons or is grouped in housing units for elderly persons.

These practices, I believe, are discriminatory in nature. They seem to be solutions to our housing needs but all they do is segregate us from the mainstream of society.

Ms. Richetelle's opinion is based upon her prior experience in moving to New Haven, recent conversations with other disabled people, and her own current search for an apartment in the Farmington area.

There are very few apartments in the private sector which are wheelchair accessible. The alternative for people with mobility limitations is to live in housing projects for the handicapped or the elderly. This is not a viable alternative for many handicapped people. According to Cynthia Teixeira, a housing specialist with the Superior Court Housing Session:

". . . handicapped housing is designed for the single individual and not for families. It's a HUD promulgated program. It does not appear that HUD is responsible for handicapped housing or believes that the handicapped person can have families . . . Handicapped people are human. Just because they can't walk doesn't mean they can't have families . . ."

Ms. Teixeira was obviously angry when she testified about this problem. The reason that she was angry is because she had a case pending in Waterbury where a young handicapped woman was being evicted from a handicapped housing unit after giving birth to a child.

Based upon this testimony, the Commission finds that the shortage of handicapped accessible housing in the private sector is not being adequately addressed by the creation of handicapped units in complexes for the handicapped

or the elderly. In the next two findings of fact, the Commission turns its attention to discrimination against the mentally disabled.

Finding of Fact D-2
THERE IS STRONG RESISTANCE IN CONNECTICUT TO GROUP HOMES
FOR THE MENTALLY DISABLED AND MENTALLY RETARDED

Greenwich, Connecticut drew national attention to itself in February of 1985 when the Board of Tax Review granted reductions in property assessments to neighboring homes of a privately run group home for mentally ill people. In April of 1985, the State of Connecticut filed suit against the Greenwich Board of Tax Review on the grounds that the reduction of property assessments because of the proximity of the group home is discriminatory, unconstitutional and illegal. Attorney General Joseph Lieberman stated that the reduction "was made solely because of unsubstantiated fear and prejudice against mentally disabled persons." The court battle is expected to last several years.

Commenting on this case at the Hartford hearing, John Doyle, Executive Assistant to the State Commissioner of Mental Health said:

"Discrimination has always been a result of the stigma associated with mental illness. Those that are stigmatized are our sons and daughters, brothers and sisters, parents, relatives and friends . . . Discrimination in housing does exist in Connecticut for this special population and does threaten the development of a community-based mental health system through its impact on the housing opportunities."

Mr. Doyle's concern was that discrimination threatens the development of group homes for those who had previously been living in large state institutions for the mentally disabled.

Throughout the state, neighborhood groups have formed to prevent group homes from opening in their areas, whether they be for the mentally ill or

the mentally retarded. William Sidarenck, President of Quasar Incorporated, which operates four group homes for the mentally retarded in Bridgeport, said that:

Discrimination has become a real concern among those of us involved in the group home process. [A] number of neighborhood groups have formed throughout Fairfield County for the explicit purpose of keeping severely retarded persons out of their neighborhoods. These groups have, with legal counsel, petitioned local zoning boards, tax assessors, in an attempt to discourage local authorities from approving future group homes for the retarded.

As Mr. Sidarenck's testimony illustrates, neighborhood opposition to group homes is strong.

Larry Berliner, an attorney with the Office of Protection and Advocacy for Handicapped and Developmentally Disabled Persons, brought several newspaper articles before the Commission which documented neighborhood opposition to the opening and operation of group homes for the mentally retarded. For example, in Windsor, a builder allegedly offered to build a group home for the mentally retarded at cost, if a non-profit organization would drop plans to establish the group home in his neighborhood.

Based upon the foregoing testimony, the Commission finds that there is strong opposition to group homes in Connecticut. The evidence shows that neighborhood groups have formed throughout the state in an effort to block the development of group homes in their localities. The decision by the Greenwich Board of Tax Review to lower property assessments fuels community opposition to group homes, by reinforcing people's concept that a group home lowers property values. The concept that a neighborhood is less desirable and less valuable because some of its residents are mentally disabled is based

upon pure prejudice. It is a reprehensible concept and one that must be strongly opposed.

The Commission applauds the Connecticut Attorney General for instituting suit against the Greenwich Board of Tax Review. The CHRO could not initiate its own complaint against the Greenwich Board of Tax Review because we do not have jurisdiction. The Commission can only oppose discriminatory acts against people who are members of protected classes. Individuals with a past or present history of mental illness are not yet protected under the fair housing laws. This is the subject of the next finding of fact.

Finding of Fact D-3
THERE IS A GAP IN CONNECTICUT'S PUBLIC ACCOMMODATIONS STATUTE
BECAUSE IT DOES NOT PROTECT INDIVIDUALS WITH
A PAST OR PRESENT HISTORY OF MENTAL ILLNESS

In February, 1985, the Greenwich Board of Tax Review granted reductions in property assessments to neighboring homes of a privately run group home for mentally ill people. Several witnesses at the Bridgeport and Hartford hearings discussed the action taken by the town of Greenwich, and requested the CHRO to file a complaint alleging discrimination.

The Commission has the authority to investigate when a violation of Connecticut anti-discrimination laws is alleged. Our public accommodations law prohibits discrimination on many bases, including mental retardation or physical disability. See, Conn. Gen. Stat. Sec. 46a-64. Unfortunately, discrimination on the basis of mental illness is not incorporated in the statute. Therefore, the Commission does not have the authority, or jurisdiction, to proceed against the town of Greenwich for its actions in lowering property assessments, under state law.

The gap in Connecticut public accommodations law for those with a past or present history of mental disorder was made glaringly obvious at the fact-finding hearings. Citizens with a past or present history of mental disorder do not only face discrimination in the group home process. According to Lynn Taborsak, State Representative of the 109th District in Danbury, ". . . individuals who have a history of mental illness have an extremely difficult time locating housing and are often steered to one or two rooming houses in the city" The Commission needs statutory authority to investigate cases wherein an individual has been discriminated against because of a past or present history of mental illness.

(E)
FINDINGS OF FACT ON THE DETECTION OF DISCRIMINATION

The first finding in this section deals with the scope of housing discrimination. The Commission received testimony throughout the hearings that housing discrimination is widely practiced in Connecticut, yet many victims of discrimination do not file complaints. The following findings examine the reasons why victims of discrimination do not file complaints. The major reason put forward at the hearings is that people do not file complaints because they do not know they have been discriminated against. This is because many forms of housing discrimination, such as steering and screening, are subtle and difficult to detect. The Commission received a great deal of evidence to support its fourth finding, that testing is an excellent way to detect subtle forms of discrimination.

Finding of Fact E-1
THE NUMBER OF HOUSING DISCRIMINATION COMPLAINTS FILED
DOES NOT ACCURATELY REFLECT THE AMOUNT
OF DISCRIMINATION WHICH EXISTS

Only a fraction of the discrimination that goes on is being reported, according to employees of municipal agencies that process housing discrimination complaints. The CHRO processed 160 housing discrimination cases in fiscal year 1984-1985, 177 cases in 1983-1984, 136 cases in 1982-1983, 134 cases in 1981-1982. Those figures are "appallingly low" according to Tina Cunningham, a Commissioner of the Permanent Commission on the Status of Women, who testified that those numbers of cases are more demonstrative of the discrimination that occurs in a single county rather than state-wide.

Robert E. Lampkin, III, a fair housing program assistant at the New Haven Commission on Equal Opportunities stated that the amount of complaints that

his agency receives is just the "tip of the iceberg." Mr. Lampkin bases his opinion on the fact that many people who do file complaints tell him that they have been discriminated against three or four times before. The complainants eventually get "so fed up" with discrimination that they finally file complaints.

Samuel Briggs, the Director of the Norwalk Human Relations Commission, testified that "for every complaint filed . . . there are at least three or four discrimination acts that go unreported" Mr. Briggs bases his opinion on the number of people who phone or come into his office to report discrimination, but who leave without filing an official complaint.

Joseph Wincze, the Director of the Bridgeport Fair Housing Office, reported that his agency receives an average of twenty to twenty-five complaints a year. Mr. Wincze testified:

[I]f you were to examine our statistics alone, you might be misled into believing that housing discrimination was not much of a problem anymore. However, I don't believe this and I believe the fact that housing discrimination is still a very serious problem today was graphically illustrated by the survey done by the two reporters from the Bridgeport Post-Telegram . . .

The two reporters from the Bridgeport Post-Telegram used testing and discovered all of the twelve real estate agencies that they visited in the greater Bridgeport area used discriminatory steering practices. This article supports Mr. Wincze's perception that much more discrimination-exists than is being reported.

Housing discrimination appears to be far more widespread and prevalent than is obvious from looking at the number of complaints filed. If people are being discriminated against, why are they not filing complaints? That is the subject of the next two findings of fact.

Finding of Fact E-2
THERE ARE SEVERAL REASONS WHY
PEOPLE WHO HAVE BEEN DISCRIMINATED
AGAINST DO NOT FILE COMPLAINTS

The filing of complaints would help immeasurably in the detection and removal of discrimination. Unfortunately, many who have been victimized by discrimination do not file complaints. The Commission sought an answer to why this is so. Several reasons were forthcoming at the hearings. One reason given repeatedly by various witnesses at the hearings was that many people do not know that they have the right to fair housing.

Among those who do know their rights, "[T]he general feeling is either the remedy is insufficient, the enforcer is too slow, or the complaint is not going to make a difference," according to Richard Tenenbaum, an attorney with Connecticut Legal Services in Norwalk. Joseph Wincze, Director of the Bridgeport Fair Housing Office, also stated that a "lack of faith in the system" deters people from filing complaints.

Some people do not file complaints because they fear retaliation or retribution, according to Robert Lampkin of the New Haven Commission on Equal Opportunities, Thomas Morrow, the fair housing officer of Bristol, and Pat Bazinet of N.I.N.E. Ms. Bazinet elaborated that her clients were afraid to file complaints because they did not want to be put on the "Landlords' black list." Ms. Bazinet explained, "this is a list of tenants who cause trouble for landlords so that if they do need another place to live, they won't find a place." Ms. Bazinet could offer no proof of the existence of a Landlords' black list. Whether it exists or not, is open to question. However, the fear that her clients feel is not open to question. They will not file complaints.

Another reason put forward by Ms. Bazinet for not filing complaints is her clients' "personal pride." Ms. Bazinet stated "they don't want to live in a neighborhood where they are not wanted."

Robert Lampkin suggested that some victims of discrimination do not file complaints because they do not want to "[T]ake time away from their jobs . . . and lose two or three hours pay" Laura Best-Reese, a black woman who was victimized by an act of discrimination, said similar incidents have happened to friends, but her friends will not complain because ". . . they feel that the time and effort that they have to put into it is really not worth it"

Joseph Wincze of the Bridgeport Fair Housing Office suggested that the low monetary amounts awarded in housing discrimination cases dissuaded victims from filing complaints. He suggested that the awarding of higher amounts of money would encourage victims to file complaints. On the flip side of that coin, Pat Bazinet of N.I.N.E. testified that poor people on welfare see no use in filing complaints since any monies received "would just interfere with their benefit checks, or the State would take the money."

The Commission finds that there are several reasons why people who have been discriminated against do not file complaints, including: lack of knowledge of fair housing rights; lack of faith in the system; fear of retribution; personal pride; and apathy. However, the major reason people do not file complaints is because they do not know they have been discriminated against. Housing discrimination has become so subtle that it is difficult to detect. This is the subject of the next finding of fact.

Finding of Fact E-3
DISCRIMINATORY STEERING AND SCREENING PRACTICES
ARE DIFFICULT TO DETECT BECAUSE THEY ARE SO SUBTLE, AND
THE SUBTLETY OF THE DISCRIMINATION IS A MAJOR REASON WHY
VICTIMS DO NOT FILE COMPLAINTS

Many witnesses at the fact-finding hearings testified that housing discrimination is more subtle today, and therefore, harder to detect. "Seldom do I ever get a complaint where the potential tenant has the door slammed in his/her face or is told 'No Blacks and No Puerto Ricans'", stated Gerry Maine, a housing advocate at La Casa De Puerto Rico in Hartford. To the contrary, unscrupulous landlords and real estate agents are very politely telling Blacks and Hispanics that certain properties in White neighborhoods are unavailable.

In the rental process, Gerry Maine related his experience with Black applicants who ". . . were treated very cordially and had their names placed on waiting lists. The problem was that white applicants could get in with no mention even of a waiting list." This type of discrimination is very difficult to detect. Oftentimes, the victims of these exclusionary practices are not even aware of the fact that they have been discriminated against. Several witnesses at the fact-finding hearings saw this as the major reason people do not file complaints. If they do not know they have been discriminated against, they cannot file complaints.

The testimony of Frieda Luccarelli at the New Haven hearing best exemplifies the problem. Ms. Luccarelli is a White woman who was seated in a real estate agency when a Black man entered. The man wanted to see an apartment that was listed for \$700.00 a month. The man and his wife earned \$900.00 a week. Ms. Luccarelli witnessed the interaction of the man and the real estate agent and reported it as follows:

He was told very clearly and several times that, no, he and his family could not have this apartment even though it was of adequate size for them and even though there was no objection to the number of them, but that . . . the requirement was that each person in the household had to have a sufficient income to carry that rent along.

He offered them thousands of dollars, three thousand dollars first, then five thousand dollars to take his security, to take a pre-paid rent, anything.

His income was secure was what he continued to say and "No, no," was the answer again and, no, they had no other listings for him and "Sorry, he had to leave."

Although the Black man was told that there were no listings for him to see, Ms. Luccarelli was offered several available apartments. She attributed this to her race. Upon reflection, Ms. Luccarelli said that she ". . . could clearly see what was happening but it was so generalized." The Black man who was turned away may not have even known that he was being discriminated against.

Milton L. Cook, Jr., President of the New London Chapter of the NAACP, suspects that he was being steered in the purchase of his new home, ". . . but in terms of actually documenting it" he "would be a little leery . . . to say 'Yes I could pinpoint it'". Many victims of steering and screening practices feel the way Mr. Cook felt. They may suspect that they are being discriminated against but they cannot prove it so they do not file complaints.

The Commission finds that discriminatory steering and screening practices are so subtle that many who have been victimized by these practices are not even aware of the fact that they have been discriminated against. The end result is that they do not file complaints and the discrimination continues. The Commission needs new and innovative ways to combat these subtle forms of discrimination. Testing is a very successful method of detecting subtle discrimination, and is the subject of the next finding of fact.

Finding of Fact E-4
TESTING IS AN EXCELLENT WAY TO
UNCOVER DISCRIMINATION

"Testing in fair housing law enforcement is the process of having persons pose as home seekers to detect unlawful discrimination in the furnishing of housing or housing services."⁶ The process of testing requires that two people claiming virtually the same personal, social, economic and familial status apply for the same housing or housing service within a short period of time of each other. The only difference between the two people is that one is a member of a protected class and the other is not. For example, one person is White and one person is Black. If the Black person is treated less favorably than the White person, unlawful discrimination may be exposed as the reason.

There are four primary types of testing, which are described as follows:

1. Investigative Testing: This is testing that is performed in response to a complaint of housing discrimination by a bona fide home seeker. The objective of investigative testing is to determine if the individual complainant(s) were unlawfully discriminated against because of their protected class status, as alleged in their complaint.
2. Auditing: This is testing that is not conducted in response to any individual complaint(s) but rather is targeted at certain segments of the housing market to determine if unlawful discrimination is being practiced. The results of auditing are utilized to determine whether a complaint of discrimination should be initiated by the testers or the Commission to remedy any discriminatory practices found. The auditing program can be directed at real estate brokers or firms, institutional lenders or apartment complexes.
3. Monitoring Testing: This type of testing is conducted to determine compliance with a conciliation or settlement agreement between the Commission and a previous housing discrimination respondent.

⁶ Testers Manual, Connecticut Commission on Human Rights and Opportunities, (March, 1984) at page 42.

4. Exploratory Testing: This type of testing is done primarily for research and information purposes. Based on information or reports, the testing can be directed against real estate agents or firms, lenders and apartment complexes. The results of the testing may be used to develop an auditing program or to inform the public, industry and political leaders of the extent of the housing discrimination problem.⁷

The Commission is in the process of developing a comprehensive testing program. The CHRO has developed a manual for testers, training materials, as well as policies and procedures for the use of testers in a state-wide program.

The Department of Justice utilizes investigative tests in the bringing of complaints. Walter Gorman, the Acting Chief of Housing and Civil Rights Enforcement in the Civil Rights Division of the Department of Justice, testified about the use of investigative testing and said "It's certainly very effective. It's a quick and inexpensive way to determine whether or not there is strong evidence of discrimination and . . . it is probably a lot less expensive and time consuming than the more traditional type of investigation."

An investigative testing program would allow the Commission on Human Rights and Opportunities to make a very rapid determination of probable cause in a housing complaint. This in turn would speed up the process and encourage more people to file complaints. Arthur LaRoche, Executive Director of the Danbury Commission on Equal Rights and Opportunities, testified that an investigative testing program was "necessary" but added "most discrimination goes by the boards because there's no complaints. . . ." Mr. LaRoche suggested that the Commission institute an investigative testing and auditing program.

⁷ Ibid., at page 43.

Auditing is an excellent method of exposing discrimination. The two reporters from the Bridgeport Post-Telegram did an audit type of test in Bridgeport and found that steering was practiced in all twelve real estate agencies that were visited.

Auditing surveys conducted by the Pennsylvania Human Relations Commission and the Massachusetts Commission Against Discrimination also turned up wide-scale discrimination in the form of steering by real estate agents. Joseph Wincze, Director of the Bridgeport Fair Housing Office, commented about these surveys as follows:

In reports of both surveys, it was pointed out that the type of discrimination found most likely would have gone unnoticed if the testing was not done. Both black and white testers were treated with equal politeness, but the white testers were shown the good apartments and the black testers were not.

Mr. Wincze ended his testimony with a plea that the Commission institute a state-wide audit and initiate complaints against those who were found to discriminate.

Carl Shuster, Chairperson of the Bloomfield Community Awareness Task Force, testified that his constituency:

[F]eels strongly that the extent to which illegal steering actually exists can only be measured through a program of testing. The nagging suspicion by our residents that illegal steering is pervasive and contributes in a major way to resegregation in Bloomfield can only be put to rest by a competent program of testing.

Mr. Shuster also stated that members of the Bloomfield Community Awareness Task Force would volunteer as testers in a Commission-sponsored audit of Bloomfield.

Margaret Morton, State Senator from the 23rd District in Bridgeport, testified that the Bridgeport Post-Telegram auditing survey " . . . opened our eyes vividly, and I do believe firmly that the only way these cases were able to come to the forefront was because of the testing."

The overwhelming evidence gathered at the hearings suggests that audit-testing is the way to combat such subtle forms of discrimination as steering, waiting lists, and false representations of unavailability. Many political officials, fair housing advocates and community workers suggested that the Commission institute a program of auditing to expose and eliminate these discriminatory practices.

The Commission finds that auditing is an excellent way to detect subtle forms of discrimination, and that detection of discrimination is the first step towards preventing it. For those who have detected discrimination and have filed complaints, the Commission finds that investigative testing is a quick and efficient way for an agency to determine whether there is probable cause to support a finding of discrimination. Although the Commission did not receive evidence on monitoring and exploratory testing, we recognize the usefulness of these types of tests. With proper funding, the CHRO could implement its comprehensive testing program.

(F)
FINDINGS OF FACT ON ECONOMIC FACTORS
IN DISCRIMINATION

The Commission received a great deal of testimony on the subject of economic factors in discrimination. A predominant issue raised at the hearings was the shortage of decent, safe and sanitary housing for low and moderate-income families. The Commission received evidence that this shortage forces poor people to live in substandard, dilapidated housing. Many witnesses also criticized public housing projects for not meeting the needs of the poor. A related area that the Commission heard testimony on is rental discrimination against welfare recipients. The Commission carefully reviewed and analyzed all of the evidence to arrive at the following findings of fact.

Finding of Fact F-1
THERE IS A SEVERE SHORTAGE OF LOW AND MODERATE INCOME
RENTAL PROPERTY IN CONNECTICUT

Several political officials and community workers testified that there is a severe shortage of low and moderate-income rental property across the state. These witnesses attributed the shortage of low and moderate-income rental property to: (1) the conversion of housing stock into commercial property or luxury apartments/condominiums; and (2) the current slump in building low to moderate-income rental units for the non-elderly. What exists is being torn down and not replaced.

The demand for housing far exceeds the supply. This is demonstrated by the testimony gathered at the hearings which established 1 percent to 2 percent as the average vacancy rate in Connecticut's cities and towns. Real estate professionals testified that a 5 percent vacancy rate is considered "healthy". Connecticut's low vacancy rates are indicative of a very tight rental housing market.

More people are competing for fewer rental units. Therefore, landlords can charge higher rental rates and require larger security deposits. Poor people, many of whom are members of protected classes, cannot effectively compete for the existing housing stock.

People of moderate income are also impacted by the shortage of rental housing. Several witnesses at the fact-finding hearings stated that the vacancy rate is so low, landlords do not even have to advertise that they have property for rent. Many landlords can rent their property through word of mouth. This practice creates the so-called "hidden market." Indeed, these rents are often "hidden" from members of protected classes who cannot compete for them.

Mayor William Collins of Norwalk summarized the effects of the housing shortage as follows: "It causes suffering on its own and makes it possible for all individuals who would discriminate to do so more secretly than in places where it's more difficult to rent a unit that you might have out on the market."

The Commission finds that there is a severe shortage of low and moderate-income rental units in Connecticut, which has created an economic climate conducive to discrimination. The next finding of fact looks at the impact this shortage of housing has on the lives of poor people.

Finding of Fact F-2
THE SHORTAGE OF LOW-INCOME RENTAL PROPERTY FORCES
POOR PEOPLE TO LIVE IN SUBSTANDARD, DILAPIDATED HOUSING

No one wants to live in a slum. But when you are poor you do not have much of a choice, especially if you have a large family. Absentee landlords who own run-down properties are often the only ones who will rent to poor families, according to Luz Gonzalez, Executive Director of Centro de la Comunidad in New London. Ms. Gonzalez testified that:

A lot of these people in the City of New London who rent, rent condemned buildings and it's very disturbing to go into those homes and see the conditions under which these poor people live. The only problem these people have is that they are low income . . . , and that they have children. That is the only sin that they have committed.

Ms. Gonzalez described these apartments as having broken windows, wobbly railings and unsafe floor boards.

Maurice Sykes, Executive Director of the New Haven Equal Opportunities Commission, also spoke on the issue of substandard housing. Mr. Sykes said that the properties were in such poor condition, that "often, the health of tenant is at risk."

Migdalia Otero of Bridgeport lives in a substandard, dilapidated apartment. She had six children, according to her testimony, but one died of asthma due to the lack of heat in Mrs. Otero's apartment. Mrs. Otero testified that she ". . . went to the housing code and they told me to wait" Mrs. Otero's testimony supports Mr. Sykes' assessment that the health of poor people is at risk in these substandard, dilapidated tenements. Mr. Sykes blamed these conditions on "lack of vigilant housing code enforcement."

Lynn Taborsak, State Representative of the 109th District in Danbury, conducted a rental survey in several of Danbury's substandard rental neighborhoods in preparation for the Commission's hearings. Here is what Representative Taborsak found:

In every single instance tenants in these substandard units were paying more in rent than I pay for my home mortgage. Rent varied from a low of \$346.00 a month to a high of \$800.00 a month. Only one tenant reported that rent represented only 25 percent of the family's income. In fact, the majority of tenants reported that they spend fifty to a hundred percent of their income on shelter.

Only one tenant was satisfied with the size of the rental unit in terms of family needs. In most cases the apartment was too small. One family renting a one-room efficiency utilized an uninsulated, attached porch as a bedroom for their children.

The tenants' most common complaints about their living conditions, other than rent and the size of the unit, had to do with noise, traffic, unsanitary conditions, unsafe entrances and corridors and the failure of landlords to make necessary repairs If you wonder, as I do, why these families remain in overpriced, substandard housing with no privacy or security and with living conditions that resemble our poorest inner city neighborhoods, there is nothing else available.

It's a very callous public policy statement. If you can't afford to buy a house, then live in the gutter.

The Commission finds that the shortage of low-income rental property forces poor people to live in substandard, dilapidated housing. Some witnesses at the hearings viewed this as discrimination against the poor. Others viewed it as a color-blind form of exploitation even though Blacks and Hispanics suffer disproportionately because of it. Whatever term is used, one thing is clear -- no human being should have to live under these conditions. There is nothing the CHRO can currently do about discrimination or exploitation of poor people, except call attention to it. In the next finding of fact, the Commission discusses why discrimination against one segment of the poor population, welfare recipients, should be prohibited by the Public Accommodations Act.

Finding of Fact F-3
THERE IS DISCRIMINATION AGAINST TENANTS WHO
RECEIVE PUBLIC ASSISTANCE

People who receive public assistance have an extremely difficult time

securing apartments. One reason for this is that the amount of money allocated to welfare recipients for rent is far below the current rental rates. Marie Langan, a housing specialist with the Superior Court in New Haven, testified as follows:

We see a lot of eviction actions brought because of the City Welfare mechanism. When an individual is on City Welfare they only allot "X" amount of dollars toward rent. They are not reasonable figures. You're talking \$67.50 a month for an individual in some cases. Where can you purchase an apartment for that amount of money? They usually have no recourse, so the eviction is brought for non-payment of rent. They are trying to pay the rent and at the same time trying to meet their basic needs.

A vicious cycle is created of renting an apartment, getting evicted, and then trying to rent another apartment. Often the welfare recipient rents an apartment knowing full well that it costs too much, but the alternative is to live on the streets. At least by renting an overpriced apartment, the welfare recipient has a place to stay until the next eviction.

What about apartments that are affordable? Many landlords do not want to rent to recipients of public assistance. "[T]here's a strong stigma that people on welfare have no right to housing" according to Michael Miller, an employee of the New Haven Commission on Equal Opportunities. Mr. Miller testified that welfare recipients are often refused housing "because of the source of their income."

"While a tenant's ability to pay is a just concern for landlords, the source of income should not be an issue", so stated Gerry Maine, a housing advocate at La Casa de Puerto Rico in Hartford. But the source of income is an issue, according to Sister Virginia McCrossan of Green Community Services

in Waterbury, who said "many people feel . . . welfare people are lazy and make very poor tenants"

Rosemarie Giunta, Coordinator of the Shelter Services Program for Abused Women at the Bridgeport YWCA, testified:

Women are often forced to lie when they go to apply for housing. They will say, for example, "I am not on welfare but I am on social security, a widow" and even though the income level would be the same with social security and welfare, they will get that apartment but if another woman says she's on welfare, she just won't have that sort of luck.

Ms. Giunta's testimony was very convincing on the issue of source of income discrimination.

Several other witnesses testified that members of protected classes are often refused rentals because of the source of their income. Tina Cunningham, a Commissioner on the Permanent Commission on the Status of Women, suggested that landlords use source of income as a smoke screen for discrimination on forbidden grounds. Ms. Cunningham said "Discrimination against a particular race can be very cleverly disguised if one is Black or Hispanic . . . and happens to be on public assistance." Since discrimination based on source of income is not forbidden, the landlord is perfectly within his bounds to refuse to rent to an individual who is receiving public assistance, social security, workers compensation or alimony.

The Commission finds that it is extremely difficult for people who receive subsidized income to secure apartments. Economics and discrimination are responsible for this. At the present time, it is not illegal for landlords to discriminate against prospective tenants because of the source of their income. Whatever the source of their income, poor people have very few housing options.

One option, which is also not meeting the needs of the poor, is public housing. This will be discussed in the next finding of fact.

Finding of Fact F-4
PUBLIC HOUSING PROJECTS ARE NOT MEETING THE NEEDS OF POOR PEOPLE

There is an inadequate supply of public housing. Cesar Batalla, President of the Puerto Rican Coalition and Board member of Action for Bridgeport Community Development, stated:

Not only has available non-public housing disappeared, but also public housing units are fewer today than they were ten years ago, except for senior dwellings. Father Panik Village and Beardsley Terrace have both witnessed the demolition of buildings, rather than the construction of buildings.

The two projects that Mr. Batalla referred to are located in Bridgeport.

A resident of Beardsley Terrace also testified at the hearing. Robert B. Moragne said that there were originally sixteen buildings at Beardsley Terrace and now there are eight buildings. Mr. Moragne further testified that:

[O]ver the past four or five years, the heating system broke down during the winter months and when these heating systems broke down, we were forced to reach out to organizations such as the NAACP and others, to bring electric heating units up to the people who were freezing . . . [I]t happened so often . . . we have on record where in seven consecutive weeks, one building received no heat from the State of Connecticut . . .

As a consequence of this, some residents had electric bills which exceeded the amount of their rents. Not an easy situation to face on a fixed income.

Mr. Moragne's testimony points out an additional problem with public housing. It is often in run-down condition. Lillian Morales Fletcher, who works with Mision Methodista in New London, had this to say about the condition of public housing:

[P]ublic, low-income housing in New London . . . is plagued by tremendous problems: vandalism, deterioration in the interior and roaches and rat infestation and the presence of undesirable elements such as drug dealers, drunks, et cetera. I have tremendous problems with this.

I see a lack of maintenance in public housing, a lack of security which is contrasted with private housing and apartment housing which is well kept, the lawns mowed, et cetera.

When questioned about the condition of public housing projects, Victor Cruse, Deputy Commissioner of the State Department of Housing, replied:

I know there are problems in public housing and the major problem is the lack of monies to keep up with the maintenance and repairs that has to take place on an ongoing basis as you have large numbers of people living together . . . This State is not able to put enough money into those funds that would repair and replace things . . . and in addition there is alot of housing that was developed in the State of Connecticut which was developed a long time ago.

In an effort to solve this problem, the State has been selling projects to private developers who are supposed to rent to low and middle-income people. Often the developer sets up his own tenant selection criteria which is not monitored by the state. The end result, according to Sister Virginia McCrossan of Green Community Services, is that low-income people are not rented to. John Saunders, Executive Director of the Urban League of Greater Hartford, agreed that ". . . projects that promise to produce low and moderate income housing -- often end up producing moderate and middle income housing."

The selection criterion of many projects, whether publicly or privately developed, was criticized by a variety of witnesses at the fact-finding hearings. Gerry Maine, a housing advocate at La Case de Puerto Rico in Hartford, stated

that many selection criteria which sound benign have a disparate impact. As an example, he cited the Town of Wethersfield which gives preferential treatment to local residents for public housing. The end result is that only one non-White family is rented to in a 130-unit complex. This is because Wethersfield is 98 percent White.

Mattie Burke, Consumer Consultant at Consumer Protection Services of NOW in Waterbury, pointed out that "The HUD selection criteria for Section VIII housing may be assisting in the establishment of discriminatory practices of the less obvious kind." As an example, Ms. Burke stated that the requirement of having a landlord's reference disparately impacts on young people who are establishing a home for the first time.

Lastly, the design of public housing projects was criticized. Lillian Morales Fletcher of Mision Methodista in New London characterized "the high rise type developments" as a "bundle of dynamite" ready "to explode." Her reasons for giving that characterization is that a large group of people who "already have tremendous economic problems" and "who may have family disintegration problems" are all herded together in one place. Ms. Morales Fletcher suggested that these people should be dispersed throughout the city, where different economic and racial groups could mix together and help each other.

Lynn Taborsak, State Representative of the 109th District in Danbury, conducted a survey in several of Danbury's substandard neighborhoods. Representative Taborsak testified:

One interesting by-product of the survey was the stated preference among tenants to live in four to six family dwelling public housing rather than large public housing projects. Home ownership . . . can be simulated in the renovation of older housing stock for multiple family rental units.

Representative Taborsak reiterated the need for "scattered site" housing, as opposed to "concrete jungles."

The Commission finds that public housing, as it currently exists, is not meeting the needs of the poor. This is a problem that the Federal Government has turned its back on by making budget cuts. The State of Connecticut and its municipalities must find new and innovative ways to meet this problem.

(G)
FINDING OF FACT ON ZONING

The Commission received evidence that zoning regulations which make it unfeasible for developers to build multi-family dwellings in the suburbs: 1) are a leading cause of the lack of rental units; and 2) adversely impact on many protected classes who can only afford to rent apartments. Based upon this evidence, the Commission makes the following finding of fact.

Finding of Fact G-1
THE EXCLUSIONARY PLANNING AND ZONING ACTIVITIES OF SUBURBAN TOWNS
SEVERELY LIMIT THE HOUSING CHOICES
FOR MEMBERS OF PROTECTED CLASSES

On Finding of Fact A-4, it was found that 85 percent of the state's minority population lived in twenty central cities and towns. On Finding of Fact D-1, it was found that there is a severe shortage of low to moderate-income housing. What little there is exists in Connecticut's cities, not its suburbs. Zoning regulations which make it unfeasible for developers to build multi-family dwellings in the suburbs have an adverse impact on many protected classes who can only afford to rent apartments. This is a form of discrimination. It is also a leading cause of the lack of supply of housing units, according to many witnesses who testified at the fact-finding hearings.

Leaders of urban areas such as Maurice B. Mosley, State Representative of the 72nd District in Waterbury, Mayor William Collins of Norwalk, and Samuel Deibler of the Danbury Commission on Equal Rights and Opportunities, all pointed out that their cities are the only places that have multi-family dwellings in their regions. Mayor William Collins of Norwalk testified that "the burden of providing assisted housing for the poor is falling on central cities . . .,"

that are ". . . surrounded by a ring of suburbs." Samuel Deibler pointed out that Danbury is surrounded by ten towns but that "[D]anbury is largely the only place in our region where there is any appreciable rental housing on the market." And Representative Mosley testified, "[I]t is extremely difficult to build multi-family housing in the suburbs of Waterbury. And this is definitely true of suburbs of most American cities"

All of these leaders agreed that the lack of supply of rental units is caused largely by the exclusionary planning and zoning activities of suburban towns. The Commission finds that these exclusionary planning and zoning practices have an adverse impact on members of protected classes whose housing options are limited to a deteriorating and disappearing urban housing stock.

(H)
FINDINGS OF FACT ON DAMAGES AWARDS
IN COMMISSION ON HUMAN RIGHTS AND OPPORTUNITIES' CASES

The Commission received evidence that the amount of damages awarded by CHRO Hearing Officers in housing discrimination cases is far below the amount of damages awarded by Federal Courts in similar cases. This was attributed to the unclear language on compensatory damages contained in the law. The double damages provision of the Public Accommodations Act was also criticized as being too low. The Commission has made three findings of fact on damage awards in CHRO housing discrimination cases.

Finding of Fact H-1
THERE IS A DISPARITY BETWEEN HOUSING DISCRIMINATION AWARDS
RENDERED BY THE COMMISSION AND DAMAGES AWARDED FOR
SIMILAR CASES IN THE FEDERAL COURTS

Philip Tegeler, Staff Attorney at the University of Connecticut Civil Litigation Clinic, testified about the disparity between housing discrimination awards rendered by the Commission, and damages awards for similar cases in federal courts. The highest award rendered by a Commission Hearing Officer in a housing discrimination case was \$5,231.56. This does not compare favorably with damage awards rendered in federal courts which range from \$20,000.00 to a high of \$560,000.00. Mr. Tegeler submitted a table of federal court cases showing the type of housing discrimination practiced, the statute violated, and the amount of the award rendered. This table supports Mr. Tegeler's testimony that the Commission's awards are far below the awards being rendered in federal courts.

As a result of this disparity, Mr. Tegeler testified that he will sometimes direct clients who have been discriminated against to "skip the Commission process entirely and go directly to Federal Court because Commission awards will

not give them the kind of relief that they need." Of course, this alternative is limited to those who can afford to hire a private attorney. Mr. Tegeler said that it is not fair that those who must use the Commission because they do not have the money to bring action in Federal Court have "to be limited to an award in the \$1,000 to \$3,000 range."

Mr. Tegeler also added that a "\$3,000 award in a discrimination case is a low deterrent factor especially in dealing with a large landlord."

The Commission finds that its low damages awards in housing discrimination cases are contrary to the national trend in federal court cases which have been rendering larger damages awards. One reason put forward for this disparity is that Connecticut law does not contain explicit language on the awarding of emotional distress damages. Therefore, CHRO Hearing Officers are reluctant to award complainants large sums of money for emotional distress. This will be discussed fully in the next finding of fact.

Finding of Fact H-2
THE COMMISSION NEEDS CLEAR, UNAMBIGUOUS STATUTORY AUTHORITY
TO AWARD EMOTIONAL DISTRESS DAMAGES
IN HOUSING DISCRIMINATION CASES

CHRO Hearing Officers have the authority pursuant to Conn. Gen. Stat. Sec. 46a-86 to "[D]etermine the damage suffered by the complainant," and, upon a finding of discrimination, order the "[R]espondent to pay the complainant the damages resulting from the discriminatory practice." These damages are termed compensatory damages because they are meant to compensate the injured party for the loss or injury sustained. One injury that is a product of discrimination is emotional distress. In findings of fact A-2 and A-3, the Commission quoted from the testimony of witnesses who described feeling "deeply degraded", "humiliated", "sickened" and "angry" by acts of discrimination

practiced against them. When a complainant suffers emotional distress, embarrassment or humiliation because of a discriminatory act, the complainant is entitled to compensation for those injuries. Philip Tegeler, Staff Attorney at the University of Connecticut Civil Litigation Unit, suggested to the Commission that "the availability of emotional distress and humiliation damages should be clarified . . ." in Connecticut's statutes.

Independent Commission Hearing Officers, who are selected from a panel appointed by the Governor, have awarded emotional distress damages in both employment and housing discrimination cases. These awards have been consistently upheld by the Superior Court when challenged. The Hearing Officers' interpretation that our Public Accommodations Act allows the awarding of emotional distress damages is consistent with judicial interpretation of similar civil rights statutes in other states. However, because of a lack of clear statutory authority, the Hearing Officers' awards have been very low. This in turn has resulted in criticism of the Commission since its awards are considerably less than those awarded by federal courts and other state agencies.

The Commission finds that it needs clear statutory authority to award emotional distress damages in order to raise award levels to a fair amount. Another statute that needs improvement is the double damages provision, which is discussed in the next finding of fact.

Finding of Fact H-3
THE PROVISION OF THE PUBLIC ACCOMMODATIONS ACT WHICH
SETS THE MAXIMUM DOUBLE DAMAGES AWARD WHICH A COURT CAN
AWARD IN A HOUSING DISCRIMINATION CASE AT \$500.00 IS TOO LOW

The so-called double damages award of \$500.00, which is set out in Conn. Gen. Stat. Sec. 46a-91, can only be granted by a Superior Court Judge after a landlord has been found guilty of housing discrimination by an independent

Hearing Officer at a public hearing. Philip Tegeler, Staff Attorney at the University of Connecticut Civil Litigation Clinic, testified that the \$500.00 award ". . . is woefully outdated, and should be revised upward to reflect inflation" The Commission agrees.

This provision was originally enacted in 1967 to deter housing discrimination and to provide an incentive to persons who believe they have been discriminated against to file complaints with the Connecticut Commission on Human Rights and Opportunities. The \$500.00 damages award has been severely eroded during the last eighteen years by inflation and the increased cost of living. The Commission finds that the \$500.00 award for double damages, set forth in Conn. Gen. Stat. Sec. 46a-91, is too low. Raising this award to \$1,000.00 will conform Connecticut's provision to that of Section 812 of the Civil Rights Act of 1968 (Fair Housing). With the statutory changes recommended in this section, the amount of damages awards in CHRO housing discrimination cases should improve and follow the national trend.

III. DISCUSSION OF RECOMMENDATIONS

The findings of fact help define the scope of the problem of housing discrimination and lack of housing opportunities in Connecticut. The following recommendations are suggested as a means of redressing some of the problems uncovered in the findings of fact. There are nine recommendations directed to the General Assembly; four recommendations directed to municipalities; five recommendations directed to HUD and the State Department of Housing; three recommendations directed to the Real Estate Commission; and two recommendations directed to the Commission on Human Rights and Opportunities. These recommendations which are outlined below, will be discussed individually in this chapter.

THE COMMISSION ON HUMAN RIGHTS AND OPPORTUNITIES
MAKES THE FOLLOWING RECOMMENDATIONS
REGARDING HOUSING DISCRIMINATION AND OPPORTUNITIES
IN CONNECTICUT:

TO THE GENERAL ASSEMBLY:

1. Provide adequate funding and staff to the CHRO for the implementation of a comprehensive testing program.
2. Enact legislation which would prohibit discrimination in public accommodations on the basis of lawful source of income.
3. Draft and enact legislation which would prohibit discrimination in public accommodations on the basis of past or present history of mental illness.
4. Draft and enact "anti-snob" zoning legislation which specifically requires each municipality to zone a certain amount of land for the development of multi-family dwellings for low and moderate income families.
5. Draft and enact legislation requiring Connecticut newspapers which publish advertisements for the rental or sale of property to print a fair housing statement apprising readers of their rights.

6. Enact legislation to increase the double damages figure for discrimination in Public Accommodations.
7. Enact legislation which specifically gives the CHRO the authority to award emotional distress damages in housing discrimination cases.
8. Draft and enact legislation which would specifically prohibit sexual harassment in the rental of housing.
9. Amend the Act Prohibiting Discrimination Against Families With Children in the rental of housing so that the exemption is limited to an owner-occupied, two-family building.

TO MUNICIPALITIES:

1. Require more aggressive building code enforcement.
2. Each municipality with rental properties should have a fair rent commission to provide a forum for residents faced with excessive rental charges.
3. Each municipality should zone a certain amount of land for the development of multi-family dwellings for low and moderate income families.
4. Cities with a housing shortage should require commercial developers who convert housing into commercial or business uses to either:
1) contribute a part of their profit to a trust fund for the development of multi-family housing or 2) replace the lost housing units within the municipality. This requirement should also apply to developers who convert low-income housing into high-rent housing, thereby displacing the low-income residents.

TO HUD AND THE STATE DEPARTMENT OF HOUSING:

1. Review selection criteria for public housing projects to determine if they have an adverse impact on protected classes.
2. Review selection criteria of private developers that you award grants or other assistance to and monitor the developments created to ensure that they are providing fair housing.
3. Repair and maintain the public housing projects in existence, some of which are in a state of severe disrepair.
4. Create multi-bedroom housing units which are accessible to the physically disabled.
5. Create rental units in small clusters at scattered sites, rather than building large projects.

TO THE REAL ESTATE COMMISSION:

1. Draft and enact a regulation which specifically prohibits the practice of steering.
2. Require licensed real estate agents to take three additional hours of credit in fair housing law to fulfill their twelve hours of credit continuing education requirement.
3. Mandate a license suspension or revocation hearing when a real estate broker or licensee has been adjudged to have violated the fair housing laws.

TO THE COMMISSION ON HUMAN RIGHTS AND OPPORTUNITIES:

1. Implement a Testing Program.
2. Expand efforts to educate the public as to their fair housing rights.

RECOMMENDATIONS TO THE GENERAL ASSEMBLY:

1. PROVIDE ADEQUATE FUNDING AND STAFF TO THE CHRO FOR THE IMPLEMENTATION OF A COMPREHENSIVE TESTING PROGRAM.

This is based on the findings:

- A-1. Steering by real estate agents in both the selling and rental of property is a serious problem in Connecticut.
- A-2. In the private sector, landlords discriminate by screening out rental applicants over the phone who sound Hispanic or Black.
- E-3. Discriminatory steering and screening practices are difficult to detect because they are so subtle, and the subtlety of the discrimination is a major reason why victims do not file complaints.
- E-4. Testing is an excellent way to uncover discrimination.

COMMENT: The Commission found that discrimination has taken on such subtle forms that the best way to investigate it and expose it is through the use of investigative testing and audit-type testing. The CHRO has taken substantial steps towards the implementation of a testing program by preparing the fair housing testers manual, and training materials, as well as policies and procedures for the use of testers in a state-wide program. The Commission has recently received an opinion by the Attorney General on the feasibility of using volunteers as testers. While this would cut costs, funding will be needed to conduct training sessions, and additional staff will be needed to initiate Commission complaints which arise as a result of audits.

2. ENACT LEGISLATION WHICH WOULD PROHIBIT DISCRIMINATION IN PUBLIC ACCOMMODATIONS ON THE BASIS OF LAWFUL SOURCE OF INCOME.

This is based on the finding:

- F-3. There is discrimination against tenants who receive public assistance.

COMMENT: The Commission has found that some landlords discriminate against prospective tenants, not because of the amount of their income, but because of the source of their income. This is particularly true in the case of tenants who receive public assistance. A prohibition is needed in the Public Accommodations Act which will prevent a landlord from rejecting a tenant who could afford a rent, simply because the landlord does not approve of the tenant's lawful source of income. The CHRO has drafted a proposal entitled "An Act Prohibiting Discrimination in Public Accommodations on the Basis of Income" which has been submitted to the Judiciary Committee for the 1986 General Assembly. This proposal, if enacted, would make it illegal to discriminate in public accommodations on the basis of lawful source of income.

3. DRAFT AND ENACT LEGISLATION WHICH WOULD PROHIBIT DISCRIMINATION IN PUBLIC ACCOMMODATIONS ON THE BASIS OF PAST OR PRESENT HISTORY OF MENTAL ILLNESS.

This is based on the findings:

- D-2. There is strong resistance in Connecticut to group homes for the mentally disabled and mentally retarded.
- D-3. There is a gap in Connecticut's public accommodations statute because it does not protect individuals with a past or present history of mental illness.

COMMENT: The Commission has found that individuals with a past or present history of mental illness are discriminated against in housing. Community resistance to group homes for the mentally ill is an example of this discrimination. The CHRO cannot proceed in cases where discrimination against the mentally ill is alleged, because the Public Accommodations Act does not prohibit discrimination against the mentally ill. Therefore, the CHRO does not have jurisdiction to process these types of complaints. The Commission recommends that the legislature draft and enact a provision making it illegal to discriminate in public

accommodations on the basis of past or present history of mental illness. This will give the CHRO jurisdiction to proceed in housing cases where the mentally ill have been discriminated against.

4. DRAFT AND ENACT "ANTI-SNOB" ZONING LEGISLATION WHICH SPECIFICALLY REQUIRES EACH MUNICIPALITY TO ZONE A CERTAIN AMOUNT OF LAND FOR THE DEVELOPMENT OF MULTI-FAMILY DWELLINGS FOR LOW AND MODERATE INCOME FAMILIES.

This is based on the finding:

- G-1. The exclusionary planning and zoning activities of suburban towns severely limit the housing choices for members of protected classes.

COMMENT: The Commission found that zoning regulations which make it unfeasible for developers to build multi-family dwellings in the suburbs: 1) are a leading cause of the lack of rental units; and 2) that these regulations adversely impact on many protected classes who can only afford to rent apartments. Connecticut is facing a crisis due to the lack of available rental units. It is time for all towns to face responsibility for housing the less affluent. This legislation is needed now. Connecticut should follow the lead of Massachusetts in enacting "anti-snob" zoning.

5. DRAFT AND ENACT LEGISLATION REQUIRING CONNECTICUT NEWSPAPERS WHICH PUBLISH ADVERTISEMENTS FOR THE RENTAL OR SALE OF PROPERTY TO PRINT A FAIR HOUSING STATEMENT APPRISING READERS OF THEIR RIGHTS.

This is based on the finding:

- B-2. Newspaper ads which specify "Adults Only", "Adults Preferred", and "No Children" often contribute to and foster discrimination against families with children.

COMMENT: The enactment of this legislation would be very helpful in educating people as to their rights. It would not be too costly for the newspapers, and it would remedy false impressions created by newspaper ads which indicate either

directly or through euphemisms, that it is acceptable to discriminate against families with children.

6. ENACT LEGISLATION TO INCREASE THE DOUBLE DAMAGES FIGURE FOR DISCRIMINATION IN PUBLIC ACCOMMODATIONS.

This is based on the finding:

H-3. The provision of the Public Accommodations Act which sets the maximum double damages award which a court can award in a housing discrimination case at \$500.00 is too low.

COMMENT: The CHRO has drafted a proposal entitled "An Act Increasing Damages for Discrimination in Public Accommodations" which has been submitted to the Judiciary Committee for the 1986 General Assembly. Raising this award to \$1,000.00 will conform Connecticut's provision to that of Section 812 of the Civil Rights Act of 1968 (Fair Housing).

7. ENACT LEGISLATION WHICH SPECIFICALLY GIVES THE CHRO THE AUTHORITY TO AWARD EMOTIONAL DISTRESS DAMAGES IN HOUSING DISCRIMINATION CASES.

This is based on the findings:

H-1. There is a disparity between housing discrimination awards rendered by the Commission and damage awards for similar cases in the federal courts.

H-2. The Commission needs clear, unambiguous statutory authority to award emotional distress damages in housing discrimination cases.

COMMENT: The Commission found that the awards rendered by CHRO Hearing Officers in housing cases are far below the level of awards rendered by the Federal Courts. The major reason for this is that Conn. Gen. Stat. Sec. 46a-86 does not contain explicit language on the authority of the Hearing Officer to award compensatory damages, including damages for emotional distress. The Commission needs clear statutory authority to award compensatory damages in housing

discrimination cases. The CHRO has drafted a proposal entitled "An Act Concerning the Authority of the Commission on Human Rights and Opportunities to Award Compensatory Damages in Discriminatory Practice Cases" which has been submitted to the Judiciary Committee for the 1986 General Assembly. Enactment of this legislation is necessary in order to raise CHRO award levels to a fair amount.

8. DRAFT AND ENACT LEGISLATION WHICH WOULD SPECIFICALLY PROHIBIT SEXUAL HARASSMENT IN THE RENTAL OF HOUSING.

This is based on the finding:

C-2. Sexual harassment is a form of housing discrimination practiced against women.

COMMENT: The Commission found that many people do not realize that sexual harassment in housing is a form of sex discrimination prohibited by the Public Accommodations Act. Connecticut has addressed the problem of sexual harassment in employment by incorporating a specific prohibition in the Fair Employment Practices Act. A specific prohibition against sexual harassment is also needed in the Public Accommodations Act, so that people will be aware that it is an illegal form of housing discrimination.

9. AMEND THE ACT PROHIBITING DISCRIMINATION AGAINST FAMILIES WITH CHILDREN IN THE RENTAL OF HOUSING SO THAT THE EXEMPTION IS LIMITED TO AN OWNER-OCCUPIED, TWO-FAMILY BUILDING.

This is based on the finding:

B-3. Families with children are overtly discriminated against.

COMMENT: Families with children have a very difficult time renting dwellings. Conn. Gen. Stat. Sec. 46a-64a prohibits discrimination against families with children in the rental of dwellings. However, this law does not apply to the rental of: one-family houses, two-family houses, and owner-occupied buildings

containing no more than four separate dwelling units. These exemptions remove a great number of dwellings from operation of the law. The Public Accommodations Act has an exemption for an owner-occupied, two-family house. The Commission recommends that the General Assembly amend Conn. Gen. Stat. Sec. 46a-64a so that the exemption is limited to an owner-occupied, two-family building. This will conform both fair housing statutes and lessen the amount of discrimination practiced against families with children.

RECOMMENDATIONS TO MUNICIPALITIES:

1. REQUIRE MORE AGGRESSIVE BUILDING CODE ENFORCEMENT.

This is based on the finding:

- F-2. The shortage of low-income rental property forces poor people to live in substandard, dilapidated housing.

COMMENT: One reason for the existence of substandard, dilapidated housing, addressed in the above finding of fact, is the lack of vigilant housing code enforcement. Municipalities must require more aggressive building code enforcement so that its residents do not have to live in slums.

2. EACH MUNICIPALITY WITH RENTAL PROPERTIES SHOULD HAVE A FAIR RENT COMMISSION TO PROVIDE A FORUM FOR RESIDENTS FACED WITH EXCESSIVE RENTAL CHARGES.

This is based on the findings:

- F-1. There is a severe shortage of low and moderate income rental property in Connecticut.
- F-2. The shortage of low-income rental property forces poor people to live in substandard, dilapidated housing.

COMMENT: In the aforementioned findings, it was found that the shortage of low and moderate income rental property has created a "landlords' market". More people are competing for fewer rental units. Therefore, landlords can charge higher rental rates and require larger security deposits. Many people are

being priced out of the market. Municipalities have the power, under Conn. Gen. Stat. Sec. 7-148b to create a fair rent commission which has the authority under Conn. Gen. Stat. Sec. 7-148c to determine whether a rental charge is excessive. Many municipalities have fair rent commissions, but many do not. The Commission urges every municipality with rental properties to create a fair rent commission, so that its residents can have a forum when faced with excessive rental charges.

3. EACH MUNICIPALITY SHOULD ZONE A CERTAIN AMOUNT OF LAND FOR THE DEVELOPMENT OF MULTI-FAMILY DWELLINGS FOR LOW AND MODERATE INCOME FAMILIES.

This is based on the finding:

- G-1. The exclusionary planning and zoning activities of suburban towns severely limit the housing choices for members of protected classes.

COMMENT: This recommendation is directed to suburban towns whose zoning and planning regulations make it unfeasible for developers to build multi-family dwellings in the suburbs. The Commission found that these zoning policies: are a leading cause of the lack of rental units; and that they have an adverse impact on minorities and single heads of household who can only afford to rent apartments. Each municipality should zone a certain amount of land for the development of multi-family dwellings to increase the supply of rental units.

4. CITIES WITH A HOUSING SHORTAGE SHOULD REQUIRE COMMERCIAL DEVELOPERS WHO CONVERT HOUSING INTO COMMERCIAL OR BUSINESS USES TO EITHER: 1) CONTRIBUTE A PART OF THEIR PROFIT TO A TRUST FUND FOR THE DEVELOPMENT OF MULTI-FAMILY HOUSING OR 2) REPLACE THE LOST HOUSING UNITS WITHIN THE MUNICIPALITY. THIS REQUIREMENT SHOULD ALSO APPLY TO DEVELOPERS WHO CONVERT LOW-INCOME HOUSING INTO HIGH-RENT HOUSING, THEREBY DISPLACING THE LOW-INCOME RESIDENTS.

This is based on the finding:

- F-1. There is a severe shortage of low and moderate income rental property in Connecticut.

COMMENT: In finding of fact F-1 it was found that the conversion of housing into commercial or business uses and the lack of new construction of low and moderate income rental units was creating a lack of housing supply in Connecticut cities. The aforementioned recommendation gives the city a creative alternative by allowing conversion while protecting the limited housing stock. Hartford is to be praised and emulated for instituting this type of program in its city.

RECOMMENDATIONS TO HUD AND THE STATE DEPARTMENT OF HOUSING:

1. REVIEW SELECTION CRITERIA FOR PUBLIC HOUSING PROJECTS TO DETERMINE IF THEY HAVE AN ADVERSE IMPACT ON PROTECTED CLASSES.

This is based on the finding:

F-4. Public housing projects are not meeting the needs of poor people.

COMMENT: In the above finding of fact the Commission found that selection criteria which appear benign may have a disparate impact on protected classes. For example, the criterion that one must have a landlord's reference. This criterion has a disparate impact on many poor minorities who have had to share living quarters with others. The Commission recommends that the appropriate agencies review their selection criteria to see if they have an adverse impact on protected classes. If a criterion does have an adverse impact, efforts should be made to substitute the criterion with another that does not have an adverse impact.

2. REVIEW SELECTION CRITERIA OF PRIVATE DEVELOPERS THAT YOU AWARD GRANTS OR OTHER ASSISTANCE TO AND MONITOR THE DEVELOPMENTS CREATED TO ENSURE THAT THEY ARE PROVIDING FAIR HOUSING.

This is based on the finding:

F-4. Public housing projects are not meeting the needs of poor people.

COMMENT: In finding of fact F-4, it was noted that the State has been selling projects to private developers who are supposed to rent to low and middle-income people. The problem being that private developers are allowed to set up their own selection criteria, without being monitored by the state. The end result is that low-income people are not being rented to. The Commission recommends that the appropriate agencies review and monitor selection criteria of private developers that are given governmental assistance, for the creation of low and moderate-income dwellings.

3. REPAIR AND MAINTAIN THE PUBLIC HOUSING PROJECTS IN EXISTENCE, SOME OF WHICH ARE IN A STATE OF SEVERE DISREPAIR.

This is based on the finding:

F-4. Public housing projects are not meeting the needs of poor people.

COMMENT: In the above-mentioned finding it was found that some public housing projects are in a state of severe disrepair. It is unthinkable that the government is acting as a slumlord. Steps should be taken immediately to repair the housing projects that need it, and to maintain the ones that are currently in good condition.

4. CREATE MULTI-BEDROOM HOUSING UNITS WHICH ARE ACCESSIBLE TO THE PHYSICALLY DISABLED.

This is based on the finding:

D-1. There is a shortage of housing which accommodates the physically disabled and their families.

COMMENT: The Commission found that units for the physically disabled are often located in special complexes for the handicapped or in complexes for the elderly. Furthermore, these units are designed for the single person, rather than a family. There is a need for multi-bedroom housing units which are accessible to the physically disabled. The appropriate government agencies should fund the development of such housing.

5. CREATE RENTAL UNITS IN SMALL CLUSTERS AT SCATTERED SITES, RATHER THAN BUILDING LARGE PROJECTS.

This is based on the finding:

F-4. Public housing projects are not meeting the needs of poor people.

COMMENT: In the above finding of fact, the Commission discussed the design of large public housing projects. That design was criticized by witnesses at the hearings who recommended the building of small public housing projects at scattered sites. This would more closely assimilate home ownership. In addition, it would also lead to integration of public housing residents with their area neighbors.

RECOMMENDATIONS TO THE REAL ESTATE COMMISSION:

1. DRAFT AND ENACT A REGULATION WHICH SPECIFICALLY PROHIBITS THE PRACTICE OF STEERING.

This is based on the finding:

A-1. Steering by real estate agents in both the selling and rental of property is a serious problem in Connecticut.

COMMENT: The enactment of a regulation which specifically prohibits steering would raise the consciousness of real estate agents who are ignorant of the law; and it would drive home the seriousness of the offense to those who know it is illegal but who still steer.

2. REQUIRE LICENSED REAL ESTATE AGENTS TO TAKE THREE ADDITIONAL HOURS OF CREDIT IN FAIR HOUSING LAW TO FULFILL THEIR TWELVE HOURS OF CREDIT CONTINUING EDUCATION REQUIREMENT.

This is based on the finding:

- A-1. Steering by real estate agents in both the selling and rental of property is a serious problem in Connecticut.

COMMENT: This recommendation was suggested by licensed real estate agents and members of the Board of Realtors who testified at the hearings. These witnesses testified that additional education in fair housing might create a more informed membership and lessen the occurrences of steering, thereby improving the reputation of the whole profession.

3. MANDATE A LICENSE SUSPENSION OR REVOCATION HEARING WHEN A REAL ESTATE BROKER OR LICENSEE HAS BEEN ADJUDGED TO HAVE VIOLATED THE FAIR HOUSING LAWS.

This is based on the finding:

- A-1. Steering by real estate agents in both the selling and rental of property is a serious problem in Connecticut.

COMMENT: Swift and prompt action is needed by the Real Estate Commission when real estate licensees have been adjudged to have violated the fair housing laws. Under its current regulations, the Real Estate Commission can hold a license suspension hearing when a licensee has been accused of "improper dealing". The violation of fair housing laws is a form of "improper dealing". However, the CHRO recommends that the Real Estate Commission adopt a specific regulation mandating a hearing for license suspension or revocation when a violation of fair housing laws has been determined by a competent tribunal. This will make the cost of discrimination too high for many licensees, and will act as a strong deterrent factor.

RECOMMENDATIONS TO THE COMMISSION ON HUMAN RIGHTS AND OPPORTUNITIES:

1. IMPLEMENT A TESTING PROGRAM.

This is based on the findings:

- A-1. Steering by real estate agents in both the selling and rental of property is a serious problem in Connecticut.
- A-2. In the private sector, landlords discriminate by screening out rental applicants over the phone who sound Hispanic or Black.
- E-3. Discriminatory steering and screening practices are difficult to detect because they are so subtle, and the subtlety of the discrimination is a major reason why victims do not file complaints.
- E-4. Testing is an excellent way to uncover discrimination.

COMMENT: The Commission found that many victims of discrimination do not file complaints. This is because discrimination has taken on such subtle forms, that those who have been discriminated against, may not even know it. The CHRO needs to implement a testing program in order to be able to detect and investigate steering and screening practices. The Commission has developed manuals for testers and the training of testers and has prepared policies and procedures for the use of testers in the Commission's enforcement program. The Commission now needs to obtain adequate funding in order to implement state-wide tests.

2. EXPAND EFFORTS TO EDUCATE THE PUBLIC AS TO THEIR FAIR HOUSING RIGHTS.

This is based on the finding: :

- E-2. There are several reasons why people who are discriminated against do not file complaints.

COMMENT: In finding of fact E-2 it was found that one reason people do not file housing discrimination complaints is because they do not know their fair

housing rights. The Commission must expand its education efforts through the continued use of posters, fair housing publications, press releases, speaking engagements, radio public service announcements and similar out-reach mechanisms.

IV. CONCLUSION

The overwhelming evidence presented at the five fact-finding hearings suggests that housing discrimination is widely practiced in Connecticut. The enactment and enforcement of housing discrimination laws has resulted in the institution of far more subtle and insidious forms of discrimination. Oftentimes, a person who is discriminated against does not realize it. Therefore, a complaint is not lodged. The end result is that persons who wish to discriminate may do so with little fear of a housing complaint being filed.

Compounding the problem of discrimination is the lack of housing supply. It is a landlord's market. The need for housing outstrips the supply, which allows a landlord to charge high rental rates, and to handpick tenants from a vast array of hopefuls who are searching for apartments. In this atmosphere, a landlords' prejudices are given free reign.

The findings of fact contained in this report explicitly set out the problems of housing discrimination and opportunities in Connecticut. The recommendations offer solutions. It is the hope of this Commission that the information contained in this report will act as a catalyst to spur appropriate action.

A P P E N D I C E S

TABLE OF WITNESSES

Bridgeport City Hall

Monday, April 22, 1985

Chairperson Leonor Toro presented a statement by
The Honorable William A. O'Neill,
Governor - State of Connecticut

The Honorable Leonard S. Paoletta,
Mayor - City of Bridgeport

Robert P. Hurley represented
Mary Heslin, Commissioner
State Department of Consumer Protection
and State Real Estate Commission

The Honorable Roger J. Pearson,
First Selectman,
Town of Greenwich

The Honorable William Collins,
Mayor
City of Norwalk

Ms. Deborah Zuckerman, Secretary, representing
Mrs. Wasserman
Jewish Federation of Greater Bridgeport

Mr. Louis Gidding represented
Thomas Serrani,
Mayor
City of Stamford
and Stamford Community Housing Resource Board

Mr. Peter Swaiker resident of
Bridgeport

Joseph Wincze, Jr.,
Director
Bridgeport Fair Housing Office
Chairperson
Fair Housing Association of Connecticut

The Honorable Margaret Morton,
State Senator
Bridgeport

Joseph S. Vera,
Chief
Title VIII/Systemic Discrimination Branch
U.S. Department of Housing & Urban Development
Boston Regional Office presented statement by
Robert W. Laplante,
Director
Office of Fair Housing and Equal Opportunity

TABLE OF WITNESSES

Arthur LaRoche,
Executive Director
Danbury Commission on Equal Rights and Opportunities

Mr. Carl DeBenedetto
DeBenedetto Real Estate Agency
Bridgeport

Mr. Benjamin Mastroni
O'Donnell Real Estate Agency
Bridgeport

Daniel Portanova
Attorney for
Benjamin Mastroni

Mary and Anthony Capezzali
Capp Real Estate
Bridgeport

Samuel R. Briggs,
Director
Norwalk Human Relations Commission

Ms. Carol Ferreri,
Fair Housing Compliance Assistant
City of Danbury, presented a statement from
James E. Dyer,
Mayor

Helen Liskov,
Chairperson
Coalition on Community Concerns for Greater Bridgeport

Ms. Hilda Castillo
Family Services
Woodfield

Ms. Heather A. Rodin
Norwalk Housing Coalition

Ms. Geraldine Johnson member of
Coalition on Community Concerns

Robert B. Moragne,
Housing Chairman
Greater Bridgeport NAACP
Chair,
Beardsley Terrace Tenants Association

TABLE OF WITNESSES

William Sidarenck,
President
Quasar, Inc.
and Executive Director
Elizabeth O'Hara School

Ms. Margaret Slez
Bridgeport Chapter of the National Organization for Women

Cesar A. Batalla
President
Puerto Rican Coalition
and Board Member
Action for Bridgeport Community Development, Inc.

Mrs. Migdalia Otero resident of
Bridgeport

Mr. Carlos Gonzalez resident of
Bridgeport

Richard L. Tenenbaum,
Attorney
Connecticut Legal Services
Bridgeport

Ms. Lydia Martinez
Minority Agenda Political Action Committee

Ms. Carolyn Pittman
Danbury Equal Rights and Opportunities Commission

Mr. Gilbert Lee Davis resident of
Bridgeport

Mr. Bobby Simmons resident of
Bridgeport

Mr. Felix Lazasuran resident of
Bridgeport

New Haven City Hall

April 24, 1985

Acting Chairperson Christopher L. Rose
presented a statement by
The Honorable William A. O'Neill,
Governor - State of Connecticut

TABLE OF WITNESSES

Mr. John Sepulveda represented
Congressman Bruce Morrison
3d Congressional District

Diane Goldsmith
Education Director
Connecticut Women's Education and Legal Fund

Ms. Gail Trafficante resident of
Branford

Candida Scharf
Family Advocate of the
Coordinating Council for Children in Crisis,
Regional Agency

Frank Grasso,
Director
Dept. of Health & Human Services
represented City Manager,
Acting City Manager,
Edward Murphy
Meriden

Robert Senior,
Fair Housing Officer
also spoke on behalf of
Alberta Jagoe,
Mayor
Milford

Mr. William Heinrichs, Jr. resident of
Cheshire

Ms. Carmen Padilla,
Commission on Equal Opportunities
Fair Housing Office
New Haven

Ms. Frieda Lucarelli
Valley Legal Assistance

Clarence Jones
Attorney and Counsel
New Haven Commission on Equal Opportunities

Michael Miller
Fair Housing Officer
New Haven Commission on Equal Opportunities

TABLE OF WITNESSES

Rosemarie Giunta,
Coordinator
Shelter Services Program for Abused Women
Bridgeport, YWCA

Marie Langan,
Housing Specialist
Superior Court, represented
Jerrold H. Barnett,
Judge
Housing Session

Robert E. Lampkin, III,
Fair Housing Program Assistant
Commission on Equal Opportunities
New Haven

Cynthia D. Teixeira,
Housing Specialist
Superior Court
Housing Session

Maurice Sykes,
Executive Director
Commission on Equal Opportunities
New Haven

Ms. Maureen Mails resident of
Branford

Ms. Pamela Laden resident of
Branford

Ms. Eileen Kreld resident of
Branford

Mr. David Mails resident of
Branford

Ms. Sandra Cobb resident of
Branford

Waterbury City Hall

April 30, 1985

Acting Chairperson Marlene Wenograd
presented a statement by
The Honorable William A. O'Neil,
Governor - State of Connecticut

TABLE OF WITNESSES

Roy O'Neil, Jr.,
Director
Office of Community Development
represented
Edward Bergin
Mayor

Thomas H. Morrow,
Fair Housing Officer
Bristol

Robert Smith
Supervisor/case worker
Catholic Family Services
Waterbury

Sister Virginia McCrossan
Green Community Services
First Congregational Church
Waterbury

Mattie Burke,
Consumer Consultant
Consumer Protection Services
National Organization for Women

Mr. Claude L. Perry, Sr.
Fair Housing Office
City of Ansonia and
Ansonia Economic Development Commission

Ms. Gwendolyn Wright resident of
Waterbury

Ms. Vassar Knight,
Director
Northeast Center,
National Organization for Women

The Honorable Maurice Mosely
Representative
72nd District
Waterbury

The Honorable Lynn Taborsak
Representative
109 District
Danbury

Walter R. Keenan,
Attorney
Connecticut Legal Services
Danbury

TABLE OF WITNESSES

Samuel Deibler
Executive Director
Association of Religious Communities
Danbury

Ms. Patricia Stoops
Community Action Committee of
Danbury

Ms. Glenda A. McMillian resident of
Waterbury

Norwich City Hall

May 7, 1985

Acting Chairperson George E. Whitman
presented a statement by
The Honorable William A. O'Neill,
Governor - State of Connecticut

Naomi Otterness
District Office Director, represented
Congressman Samuel Gejdensen

Jose Vazquez,
Program Coordinator
Puerto Rican Organization Program, Inc.
Willimantic

Milton L. Cook, Jr.,
Program Director, OIC
President,
New London Chapter NAACP
and 3d Vice President of the State NAACP

Charles Whitty,
City Manager
City of Norwich

Mr. Quinton Collado,
Fair Housing Officer,
Relocation Officer
City of New London represented
C. Francis Driscoll
City Manager
City of New London

Alfred Noel, Jr.,
Housing Code Enforcement Officer
Fair Housing Commission
Willimantic represented
Louise Guarnaccia,
First Selectwoman
Windham-Willimantic

TABLE OF WITNESSES

Ms. Kathleen McGuire
Catholic Charities
New London

Tina Cunningham,
Regional Director
Thames Valley Council for Community Action/
New Innovations Networking and Expansion

Ms. Pat Bazinet
Community Worker
New Innovations Networking and Expansion
Norwich

Ms. Laura Best-Reese resident of
Norwich

Luz Gonzalez,
Executive Director
Centro de la Comunidad
New London

Ms. Ana Pellot resident of
New London

Ms. Christina Noguera resident of
New London

Ms. Lillian Morales-Fletcher
Mision Methodista
New London

Ms. Bernice Palmer,
Project Coordinator, OIC
Outreach Coordinator to Elderly
New London

Ms. Patricia Smith resident of
Danielson

Ms. Patricia Bauer resident of
Jewett City

Hartford City Hall

May 14, 1985

Acting Chairperson William J. Brown
presented a statement by
The Honorable William A. O'Neill,
Governor - State of Connecticut

TABLE OF WITNESSES

- Walter Gorman,
Acting Chief
Housing & Civil Rights Enforcement
in Civil Rights Division
U. S. Justice Department
- Samuel S. Goldstein,
Judge
Housing Session,
Superior Court,
Judicial District of Hartford/New Britain
- Frances Calafiore,
Chief Housing Specialist,
Housing Session
Superior Court
Judicial District of Hartford/New Britain
- Philip Johnson,
Manager
Affirmative Action
Connecticut Housing Finance Authority
- Linda Poltorak,
Office Manager
Permanent Commission on the Status of Women
- Ben F. Andrews,
State President
NAACP
Councilman,
City of Hartford
- Lawrence L. Hannafin,
Director,
Real Estate Division,
Department of Consumer Protection
State of Connecticut
- Victor Cruse,
Deputy Commissioner
State Department of Housing
- Philip Tegeler,
Staff Attorney
Civil Litigation Clinic,
University of Connecticut School of Law
- Carl Shuster,
Chairperson,
Bloomfield Community Awareness Task Force

TABLE OF WITNESSES

John Doyle,
Executive Assistant
State Department of Mental Health
represented
Audrey Worrell,
Commissioner
State Department of Mental Health

Leslie Brett,
Education Director
Connecticut Women's Educational and Legal Fund

Susan Omilian,
Staff Attorney
Connecticut Women's Educational and Legal Fund

Ronald Fletcher,
Executive Director
Hartford Commission on Human Relations

The Honorable Thirman L. Milner,
Mayor
City of Hartford

John Saunders,
Executive Director
Urban League of Greater Hartford, Inc.

Franklin J. Smith,
President
Frank Smith Associates
Hartford

Ms. Lee Hart
Member,
Equal Opportunity Committee,
Greater Hartford Board of Realtors

Jeannette Megos,
Consumer and Resource Person
Family Services,
Meriden

Cori DiAugustino,
Equal Opportunity Chairperson
Connecticut Association of Realtors
Secretary,
Enfield Human Relations Commission

David Hargreaves,
Director of Housing
City of Hartford

TABLE OF WITNESSES

Larry Berliner,
Attorney
Office of Protection and Advocacy for
Handicapped and Developmentally Disabled Persons

John Brittain,
Professor of Law
University of Connecticut School of Law
presented testimony on behalf of the
NAACP - Norwalk Branch

Wilber Smith resident of
Hartford

Acting Chairperson Christopher L. Rose
presented a statement by
The Honorable William A. O'Neill,
Governor - State of Connecticut

Spencer Cabral represented
Benjamin Sisti
Colonial Realty Company

Mr. James R. Parker resident of
Windsor

The Honorable Eric Coleman,
State Representative
1st Assembly District

Lee Shenton,
Chairperson,
Equal Opportunity Committee
Greater Hartford Board of Realtors, Inc.

Ms. Alberta Richetelle,
Member
Board of Directors
Connecticut Coordinating Committee on the Handicapped

Mr. Dwight Bachman
WVIT-TV

John T. Gatten,
Chief
Management Information Services Division
Commission on Human Rights and Opportunities

Ms. Mary Barnes,
Consultant
Capitol Region Council of Governments
Staff,
Community Housing Resource Board

TABLE OF WITNESSES

Mr. John DeQuattro
J.D. Real Estate Associates
Manchester

William Spencer,
Director of Housing
Urban League of Greater Hartford

Jurate L. Vaitkus,
Director
Special Projects
Commission on Human Rights and Opportunities

Mr. Rubin Fisher resident
Manchester

TABLE OF EXHIBITS

Submitted at
Bridgeport hearing

<u>Exhibit</u>	<u>Type of Exhibit</u>	<u>Presented by</u>
B-1	Letter from Robert W. Laplante, Director, Office of Fair Housing and Equal Opportunity to Arthur L. Green, Director, dated April 19, 1985	Mr. Joseph Vera
B-2	Statement from Norwalk Human Relations Commission dated April 22, 1985	Mr. Samuel L. Briggs
B-3	Statement concerning the status of housing discrimination and opportunity from Mayor James E. Dyer	Ms. Carol Ferreri
B-4	Statement from Beardsley Terrace Tenants Assoc. Letter from Beardsley Terrace Tenants Assoc. dated April 22, 1985 Letter from Beardsley Terrace Tenants Assoc. dated April 15, 1985 re: News Release: To the <u>Bridgeport Post-Telegram</u> Letter from Beardsley Terrace Tenants Assoc. dated April 19, 1985 re: Hayco Management Corp. and the CT State Housing Authority of intentions of residents of Bldg. 9, with tenant's signatures mailed to CHRO from Otto Crumpton, Sr. Letter from Beardsley Terrace Tenants Assoc. March 22, 1985 re: Meeting and Issues discussed	Mr. Robert B. Moragne
B-5	Letter from Barbara E. Prestwidge, Action for Bridgeport Community Development, Inc. for testimony dated April 22, 1985	Mr. Cesar A. Batalla
B-6	<u>Norwalk Hour</u> advertisements for apartments dated April 19, 1985 <u>Norwalk News</u> advertisements for apartments plus news article re: Owners of Apartment Complexes Pamphlet to CHRO from New Haven Legal Assistance Assoc., Inc. TENANTS' RIGHTS: DISCRIMINATION <u>Civil Action amended complaint from U.S. District Ct. in the matter of Norwalk Branch NAACP, Evelyn Davis, Myrtle Preston, Geraldine Brown and Dorothy Reeves on behalf of themselves and all other similarly situated v. City of Norwalk</u>	Mr. Richard L. Tenenbaum

<u>Exhibit</u>	<u>Type of Exhibit</u>	<u>Presented by</u>
B-6 continued	Conciliation agreement between HUD and NAACP, Norwalk Branch and the City of Norwalk	Mr. Richard L. Tenenbaum
	Conciliation agreement between HUD and NAACP, Norwalk Branch and the City of Norwalk (Council Majority Proposal)	
	<u>Investigation Report Addendum</u> <u>NAACP v. City of Norwalk</u>	
	Letter to the Honorable William A. Collins, Mayor City of Norwalk from John C. Mongan, HUD re: <u>NAACP Norwalk Branch v. City of Norwalk</u>	
	Copy of Determination re: <u>NAACP Norwalk Branch v.</u> <u>City of Norwalk</u>	
	Letter from CT Legal Services, So. Norwalk informing the public of the areas in which they provide legal assistance	
	Letter "HOUSING DISCRIMINATION AGAINST FAMILIES WITH CHILDREN IS ILLEGAL" showing a discriminatory advertisement which appeared in the <u>Norwalk Hour</u> on April 13, 1982	
B-7	Newspaper clipping from the <u>Danbury News-Times</u> , Monday, April 8, 1985, showing discriminatory advertisements for apartments for rent	Carolyn Pittman
B-8	Testimony of Woodrow Glover, Stamford Commission on Human Rights dated April 22, 1985	read into record
B-9	Statement of Michael Sorrentino, Greater Bridge- port Labor Council dated April 22, 1985	read into record
B-10	Letter from William McGuire, Staff Writer of Post Publishing Co. of Bridgeport dated April 15, 1985	read into record
B-11	Subpoena to Mr. Carl DeBenedetto, DeBenedetto Agency (served)	Philip A. Murphy, Jr.
B-12	Subpoena to Mr. Benjamin Mastroni, O'Donnell Agency (served)	Philip A. Murphy, Jr.
B-13	Subpoena to Mr. Anthony Capezzali, AKA Anthony Capp, Capp Real Estate (served)	Philip A. Murphy, Jr.
B-14	Subpoena to Ms. Mary Capezzali, AKA Mary Capp, Capp Real Estate (served)	Philip A. Murphy, Jr.

<u>Exhibit</u>	<u>Type of Exhibit</u>	<u>Presented by</u>
B-15	Subpoena to Ms. Carolyn E. DeBenedetto, DeBenedetto Agency (returned)	Philip A. Murphy, Jr.
B-16	Subpoena to Mr. Michael Donadeo, Donadeo Realty, Inc. (returned)	Philip A. Murphy, Jr.
B-17	Subpoena to Mr. Alan Fischer, Fischer Real Estate (returned)	Philip A. Murphy, Jr.
B-18	Article in <u>Telegram</u> on bias in rentals dated January 15, 1985	
B-19	Article in <u>Telegram/Metro</u> "Test used to guide on Fair Housing" dated January 25, 1985	

Submitted at
New Haven hearing

<u>Exhibit</u>	<u>Type of Exhibit</u>	<u>Presented by</u>
NH-1	Testimony of U. S. Representative Bruce A. Morrison on April 24, 1985	Mr. John Sepulveda
NH-2	Testimony of CT Women's Educational and Legal Fund on April 24, 1985	Ms. Diane Goldsmith
NH-3	Testimony of Coordinating Council for Children in Crisis on April 24, 1985	Ms. Candida Scharf
NH-4	Letter from Mayor Alberta Jagoe, City of Milford to John W. McLean, Area Manager, HUD, dated May 20, 1983 transmitting a copy of Milford's Housing Assistance Plan for period January 2, 1982 to September 3, 1985	Mr. Robert Senior
	Memorandum from Robert C. Senior to Mayor Alberta Jagoe, dated April 22, 1985 re: Relevant Facts concerning Fair Housing in the City of Milford	
	Letter from Robert C. Senior to New Haven Legal Assistance Assoc. dated March 25, 1985	
	Letter from Arthur L. Green, Director, CHRO to Mayor Alberta C. Jagoe requesting that she attend our fact-finding hearing	read in record
NH-5	Testimony of William J. Heinrichs, Jr.	Mr. William J. Heinrichs
NH-6	Booklet "Housing in Dixwell-Newhallville: Its Impact on the Educational Motivation of Teenagers in the Community"	Mr. Robert E. Lampkin

Submitted at
Waterbury hearing

<u>Exhibit</u>	<u>Type of Exhibit</u>	<u>Presented by</u>
W-1	Letter from Ms. Rosemarie Heath to Mr. Robert Smith dated April 29, 1985	Mr. Robert Smith
W-2	Statement of Laurel Estates Management Plan Laurel Estates Selection Criteria	Mattie Burke, Consumer Consultant
W-3	Letter from Ms. Bonnie Ballester, Welfare Client dated April 29, 1985	Mr. Claude Perry
W-4	Note from Ms. Sheila Lee Calhoun dated April 30, 1985	Ms. Jurate L. Vaitkus
W-5	Survey of State Representative Lynn H. Taborsak of the 109th District	Rep. Lynn H. Taborsak
W-6	Testimony of Attorney Walter R. Keenan on April 30, 1985	Mr. Walter R. Keenan
W-7	Statistics regarding the City of Milford population mix dated April 24	Mr. Robert C. Senior
W-8	Letter received from Leslie Walhimer re: "Broker Discrimination in Housing Sales" dated April 24	Mr. Leslie Walhimer

Submitted at
Norwich hearing

<u>Exhibit</u>	<u>Type of Exhibit</u>	<u>Presented by</u>
N-1	Letter from Congressman Sam Gedjenson to Arthur L. Green, Director, CHRO dated May 7, 1985	read into record
N-2	Testimony of Pat Bazinet dated May 7	Ms. Pat Bazinet
N-3	Newspaper article from the <u>Meriden Record-Journal</u> dated June 7, 1983 re: <u>Housing Discrimination</u> It's illegal, but it exists"	
N-4	Classified advertisement in <u>New London Day</u> in housing discrimination	Ms. Ana Pellot
N-5	Letter from Danielson resident citing the discrimination she faced after she bought a home in the area	Ms. Patricia Q. Smith

Submitted at
Hartford hearing

<u>Exhibit</u>	<u>Type of Exhibit</u>	<u>Presented by</u>
H-1	Booklet: "Growing Equity Home Mortgage Program" Connecticut Housing Finance Authority	Mr. Philip Johnson
H-2	Booklet: "Connecticut Real Estate Licensing Law and Regulations Concerning the Conduct of Real Estate Brokers and Salesmen", Connecticut Depart- ment of Consumer Protection	Mr. Lawrence L. Hannafin
H-3	Testimony of Walter Gorman on May 14, 1985	Mr. Walter Gorman
H-4	Statement of Carl H. Shuster, Chairperson, Bloomfield Community Awareness Task Force	Mr. Carl H. Shuster
H-5	Testimony of Leslie Brett, Connecticut Women's Educational and Legal Fund	Ms. Leslie Brett
H-6	Statement of the Hartford Commission on Human Relations Commission	Mr. Ronald Fletcher
H-7	Testimony of the Urban League of Greater Hartford, Inc.	Mr. John E. Saunders
H-8	Statement of Greater Hartford Board of Realtors/ with eight (8) attachments/brochures/posters	Mrs. Lee Shenton
H-9	Statement of Audrey M. Worrell, Commissioner of of the Department of Mental Health	Mr. John Doyle
H-10	Selected newspaper articles concerning group homes	Mr. Larry Berliner
H-11	Statement of Colonial Realty Co. with six (6) attachments	Mr. Spencer A. Cabral
H-12	Statement of the United States Commission on Civil Rights with supporting documentation	Mr. James R. Parker
H-13	"Board Briefs" printed by the Greater Hartford Board of Realtors, Inc.	Ms. Lee Shenton
H-14	Statement of the Greater Hartford Board of Realtors, Inc.	Ms. Lee Shenton
H-15	Breakdown of Cases of the Housing Coalition for the Capitol Region and Housing Education Resource Center	Ms. Mary Barnes
H-16	Statement of the Urban League of Greater Hartford, Inc.	Mr. William Spencer

<u>Exhibit</u>	<u>Type of Exhibit</u>	<u>Presented by</u>
H-17	"Backgrounders": materials on Fair Housing Laws; Steering; Integration Maintenance; Real Estate Practices; Residency Requirements; Residential Displacement; Rental Housing Discrimination and Families with Children	Ms. Jurate L. Vaitkus
H-18	Letter dated May 13, 1985 from Audrey M. Worrell, Commissioner, State of Connecticut, Department of Mental Health	Ms. Audrey M. Worrell
H-19	Statement of Gerry Maine, Housing Advocate, La Casa de Puerto Rico	Mr. Gerry Maine
H-20	Statement of Lois Hager	Ms. Lois Hager
H-21	Letter dated May 8, 1985 from Paula Reens, Action Housing	Ms. Paula Reens
H-22	Letter dated May 5, 1985 from James and Patricia A'Hearn	James & Patricia A'Hearn
H-23	Document (questions in lieu of testimony) given to CHRO	Chief Clifford J. Willis
H-24	Materials submitted by Mr. Philip D. Tegeler, University of Connecticut School of Law on damage awards and supporting materials plus the role of attorney for the complainant in CHRO housing discrimination cases: observations and suggestions	for the record
H-25	Affidavit material mailed to CHRO by Mr. Alan Fischer	for the record
H-26	Subpoena to John A. DeQuattro, J.D. Real Estate Co. (served)	Philip A. Murphy, Jr.
H-27	Subpoena to Richard A. Weaver-Bey, d/b/a/ Greater Hartford Realty & Management (served)	Philip A. Murphy, Jr.
H-28	Subpoena to Mr. Franklin J. Smith, Frank Smith Assoc., Inc. (served)	Philip A. Murphy, Jr.
H-29	Subpoena to Mr. Benjamin Joseph Sisti, Colonial Realty (served)	Philip A. Murphy, Jr.
H-30	Subpoena to Mr. Joseph F. Carabetta (served)	Philip A. Murphy, Jr.

PUBLIC ACCOMMODATIONS ACT

Sec. 46a-63. Discriminatory public accommodation practices: Definitions. As used in this chapter:

(1) "Place of public accommodation, resort or amusement" means any establishment which caters or offers its services or facilities or goods to the general public, including, but not limited to, (A) public housing projects and all other forms of publicly assisted housing, (B) any housing accommodation, commercial property or building lot, on which it is intended that a housing accommodation or commercial building will be constructed or offered for sale or rent, and (C) mobile home parks;

(2) "Deaf person" means a person who cannot readily understand spoken language through hearing alone and who may also have a speech defect which renders his speech unintelligible to most people with normal hearing;

(3) "Mobile home park" means a plot of ground upon which two or more mobile homes occupied for residential purposes are located.

Sec. 46a-64. (Formerly Sec. 53-35). Discriminatory public accommodations practices prohibited. Penalty. (a) It shall be a discriminatory practice in violation of this section: (1) To deny any person within the jurisdiction of this state full and equal accommodations in any place of public accommodation, resort or amusement because of race, creed, color, national origin, ancestry, sex, marital status, age, mental retardation or physical disability, including, but not limited to, blindness or deafness of the applicant, subject only to the conditions and limitations established by law and applicable alike to all persons; (2) to discriminate, segregate or separate on account of race, creed, color, national origin, ancestry, sex, marital status, age, mental retardation or physical disability, including, but not limited to, blindness or deafness; (3) for a place of public accommodation, resort or amusement to fail or refuse to post a notice, in a conspicuous place, that any blind or deaf person, accompanied by his guide dog wearing a harness, may enter such premises or facilities; or (4) to deny any blind or deaf person, accompanied by his guide dog, full and equal access to any place of public accommodation, resort or amusement. Any blind or deaf person may keep his guide dog with him at all times in such place of public accommodation, resort or amusement at no extra charge, provided the dog wears a harness and is in the direct custody of the blind or deaf person. The blind or deaf person shall be liable for any damage done to the premises or facilities by his dog.

(b) (1) The provisions of this section shall not apply (A) to the rental of a housing accommodation in a building which contains housing accommodations for not more than two families living independently of each other, if the owner or members of his family reside in one of such housing accommodations, or (B) to the rental of a room or rooms in a housing accommodation, if such rental is by the occupant of the housing accommodation, or by the owner of the housing accommodation and he or members of his family reside in such housing accommodation. (2) The provisions of this section with respect to the prohibition of sex discrimination shall not apply to the rental of sleeping accommodations provided by associations and organizations which rent all such sleeping accommodations on a temporary or permanent basis for the exclusive use of persons of the same sex. (3) The provisions of this section with respect to the prohibition of discrimination on the basis of marital status shall not be construed to prohibit the denial of housing accommodations to a man and a woman who are both unrelated by blood and

PUBLIC ACCOMMODATIONS ACT

not married to each other. (4) The provisions of this section with respect to the prohibition of discrimination on the basis of age shall not apply to minors, to federal or state-aided or municipal housing for elderly persons, to special discount or other public or private programs to assist persons sixty years of age and older or to privately owned housing developed and maintained exclusively for persons within specified age groups. (5) The provisions of this section with respect to the prohibition of discrimination on the basis of physical disability shall not require any person to modify his property in any way or provide a higher degree of care for a physically disabled person, including, but not limited to blind or deaf persons, than for a person not physically disabled.

(c) Any person who violates any provision of this section shall be fined not less than twenty-five nor more than one hundred dollars or imprisoned not more than thirty days or both.

Sec. 46a-64a. (Formerly Sec. 47a-2a). Discrimination against families with children prohibited. (a) In the rental of a dwelling unit, no landlord or landlord's agent

may discriminate against any tenant or potential tenant because such tenant occupies or intends to occupy the dwelling unit with minor children.

(b) The provisions of subsection (a) of this section shall not apply (1) to the renting of (A) single-family and two-family houses or (B) a dwelling unit in a house containing dwelling units for not more than four families living independently of each other, if the owner of such house resides in one of the dwelling units; or (2) if such rental would violate any local, state or federal law or regulation, or condominium bylaw.

(c) Any person who commits a discriminatory practice under this section shall be fined not less than twenty-five dollars nor more than one hundred dollars or imprisoned not more than thirty days, or both.

(d) Nothing in this section shall be construed to require any landlord to terminate or refuse to renew any lease or tenancy.

Sec. 46a-86. Complaint: Determination; orders; dismissal. (a) If, upon all the evidence presented at the hearing conducted pursuant to section 46a-84, the hearing officer finds that a respondent has engaged in any discriminatory practice, the hearing officer shall state his findings of fact and shall issue and file with the commission and cause to be served on the respondent an order requiring the respondent to cease and desist from the discriminatory practice and further requiring the respondent to take such affirmative action as in the judgment of the hearing officer will effectuate the purpose of this chapter.

.....

(c) In addition to any other action taken hereunder, upon a finding of a discriminatory practice prohibited by section 46a-58, 46a-59, 46a-64 or 46a-64a, the hearing officer shall determine the damage suffered by the complainant, which damage shall include but not be limited to the expense incurred by the complainant for obtaining alternate housing or space, storage of goods and effects, moving costs, attorney's fees and other costs actually incurred by him as a result of such discriminatory practice.

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Sec. 46a-91. (Formerly Sec. 53-36a). Discriminatory public accommodation practice: Injunctive relief; damages. (a) In any complaint filed under the provisions of section 46a-82 wherein a violation of section 46a-64 or 46a-64a concerning the sale or rental of housing accommodations or commercial property has been alleged and after a determination of reasonable cause by a commissioner in the manner provided for in section 46a-83, any one of the commissioners of the commission on human rights and opportunities may file a petition in equity in the superior court in the judicial district in which the discriminatory practice which is the subject of the complaint occurred or in the judicial district in which the respondent resides.

(b) The petition may seek appropriate injunctive relief against the respondent, including orders or decrees restraining and enjoining him from selling or renting to anyone other than the complainant or otherwise making unavailable to the complainant any housing accommodations or commercial property with respect to which the complaint is made, pending the final determination of proceedings on said complaint, or seeking an award of double damages based on the findings made under section 46a-86, not to exceed five hundred dollars or seeking both remedies.

(c) The commission shall incorporate in and make a part of its petition in equity its complaint against the respondent and its prayers for relief.

(d) Notice of such complaint shall be given to the respondent simultaneously with the notice of hearing on the injunctive relief, order or decree sought and in the same manner as is provided therefor in section 46a-92.

Sec. 46a-92. Injunction re discriminatory public accommodations practice: Notice; stay; bond. (a) Upon the filing of a petition pursuant to section 46a-91, the superior court, or any judge of the court when such court is not actually in session, shall have power to grant such temporary relief or restraining orders as it or he deems proper.

(b) No temporary or permanent injunctive relief, order or decree may be granted except after hearing, notice of which shall be given to the respondent not less than three, nor more than five, days prior thereto in such manner as the superior court, or any judge of the court when such court is not actually in session, may direct.

(c) Upon service on the respondent of the notice provided for in this section, the respondent shall not sell or rent the housing accommodations or commercial property which are the subject of the complaint to anyone other than the complainant until the court or judge has decided the application for temporary injunctive relief, and the notice shall so provide.

(d) No injunctive relief, order or decree and no temporary relief or restraining order may issue in any case until the commission gives bond in an amount to be determined by the court or judge, in favor of the respondent, for which it is empowered to pledge the full faith and credit of the state. By the terms of such bond the respondent shall be entitled to all damages including reasonable attorney's fees suffered by him in case the commission fails to prosecute to effect the action in which the relief, order or decree was granted.

Sec. 46a-93. (Formerly Sec. 53-36b). Injunction: Jurisdiction of court; hearing. (a) In any case wherein the commission files a petition in equity in the superior court as provided in section 46a-91, the court shall assume exclusive jurisdiction of all civil proceedings arising out of the complaint, any provision of this chapter to the contrary notwithstanding. The exclusive jurisdiction of the court shall not bar the commission from continuing its investigation nor its conciliation efforts.

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(b) The court or judge shall at the same hearing hear arguments both on the temporary or permanent injunctive relief, order or decree sought and on the merits of the complaint

unless within two days before the date set for hearing the respondent shall have filed with the court and served by mail upon the commission a request for postponement of the hearing on the merits.

(c) If any temporary relief or restraining order is granted pursuant to this section, the court or judge shall grant or deny the permanent injunctive relief, order or decree sought in the petition and enter judgment on the merits of the complaint within seven days after completion of the hearing.

(d) Upon issuance of a permanent injunction, the case shall be returned to the commission for such further action as is authorized by this chapter.

(e) Upon entry of judgment in favor of the respondent, the court or judge shall simultaneously enter an order dissolving any injunctive relief, order, decree, temporary relief or restraining order theretofore issued against the respondent in the matter.

AN OVERVIEW
OF FAIR HOUSING LAWS

The following is an excerpt from the Connecticut Fair Housing Handbook, Connecticut Commission on Human Rights and Opportunities, (June, 1982) at pages 4 to 8. This excerpt contains a discussion of the Federal and Connecticut fair housing laws.

Federal Law: The most comprehensive federal fair housing law is Title VIII of the 1968 Civil Rights Act. The prohibitions of Title VIII are detailed and explicit. The provisions of Title VIII apply only to residential property. Discrimination involving commercial property, such as retail or office space, is not prohibited by Title VIII. The residential property covered by Title VIII has been construed by the federal courts to include children's homes, mobile homes and cooperative apartments. The following discriminatory conduct is specifically prohibited by Title VIII:

- to discriminate in the sale or rental of a dwelling, or in the terms and conditions of such sale or rental, or to otherwise make unavailable or deny a dwelling;
- to make, print, or publish or cause to be made, printed, or published a discriminatory notice, statement or advertisement regarding the sale or rental of a dwelling;
- to represent that a dwelling is unavailable when it is available;
- to engage in blockbusting for profit;
- for a commercial lender to discriminate in housing financing or in the terms or conditions of such financing (housing financing includes loans for the purchase, construction, repair or maintenance of a dwelling);
- to deny access to, or membership in, a multiple-listing service or real estate brokers' organization, or to discriminate in the terms and conditions of such access or membership;
- to threaten or interfere with a person's exercise or enjoyment of his/her Title VIII rights or with a person who has aided or encouraged someone else in the exercise or enjoyment of their Title VIII rights.

There are certain statutory exemptions to the coverage of the provisions of Title VIII. The following circumstances are specifically excluded from the discriminatory housing practices prohibited by Title VIII:

- with certain exceptions, the sale or rental of single-family homes sold or rented directly by the owner;
- the rental of rooms or units in an owner-occupied dwelling containing four living quarters or less;
- with certain exceptions, the sale, rental or occupancy of a dwelling owned by a religious organization solely or preferentially to members of that religion;
- lodging provided by a private club to its members, if not for commercial purposes.

The national fair housing policy expressed in Title VIII is one which the United States Congress accorded the highest priority. Consistent with this high national priority, the federal courts have given the provisions of Title VIII a liberal construction, while narrowly interpreting its statutory exceptions.

Title VIII is intended to eliminate all artificial, arbitrary and unnecessary barriers to fair and open housing opportunities throughout the nation. Its provisions have been construed to bar all forms of housing discrimination, private and public, sophisticated as well as obvious. Racially selective advertising, racial steering and redlining, and municipal land-use practices which promote or perpetuate segregation are examples of discriminatory housing practices prohibited by Title VIII. Subjective and uncontrolled rental procedures which serve to exclude racial and ethnic minorities may also violate Title VIII.

Housing discrimination is also prohibited by Sections 1981 and 1982 of the 1866 Civil Rights Act. Unlike Title VIII, the statutory language of Sections 1981 and 1982 is extremely concise. Their coverage, like that of Title VIII, however is broad. Section 1982 is invoked more often than Section 1981 in fair housing cases. With certain very limited exceptions, the fair housing prohibitions of Section 1981 are identical to those of Section 1982.

Section 1982 expressly applies to the inheritance, purchase, lease, sale, holding and conveyance of real or personal property. In contrast to Title VIII, Section 1982 applies to both residential and commercial property transactions. The protected classes covered by Section 1982, however, are fewer than those of Title VIII.

Section 1982 and Title VIII are independent and concurrent federal statutes which prohibit various types of discriminatory housing practices. The enactment of Title VIII did not alter Section 1982 either substantively or procedurally. For this reason, the statutory exceptions of Title VIII, such as those for single family and owner-occupied homes, do not apply to Section 1982. Similarly, the various limitations on damages in Title VIII do not control the relief available for violations of Section 1982. Thus, the substantive coverage and potential remedies available under Section 1982 may, in certain circumstances, be broader than that of Title VIII.

Section 1982 prohibits all racially motivated discrimination in the sale or rental of real estate. The section applies to discrimination in: negotiations associated with a home purchase; the terms and conditions of a sale or lease, and the rights or privileges associated with home ownership. Section 1982 also prohibits discrimination by governmental bodies, including public housing authorities. The application of Section 1982 to such discriminatory housing practices as racial steering and redlining, however, is currently unclear.

Connecticut Law: Connecticut has chosen to incorporate its primary fair housing provision into the public accommodations statute, which addresses discrimination in places of public accommodation, resort or amusement. By definition, the term "public accommodations", as used in the statute, includes the following:

- public housing projects;
- all forms of publicly assisted housing;

- any housing accommodation, commercial property or building lot on which it is intended that a housing accommodation or commercial building will be constructed or offered for sale or rent;
- mobile home parks.

The public accommodations statute contains two separate fair housing prohibitions. The first prohibits the denial of full and equal accommodation in a place of public accommodation. The second prohibits discrimination, segregation, or separation in a place of public accommodation.

The public accommodations statute, like Title VIII, has certain statutory exceptions and exemptions. Those exceptions and exemptions remove the following situations from the coverage of the statute:

- the rental of a unit in a two-family house if the owner, or a member of his family, resides in the house;
- the rental of a room or rooms in a house if the rental is by the occupant of the house, or by the owner if he or a member of his family resides in the house;
- sex discrimination claims involving the rental of sleeping accommodations provided by YMCA's, YWCA's and other similar organizations which rent such sleeping accommodations on a temporary or permanent basis exclusively to one sex;
- marital status discrimination claims involving the denial of a housing accommodation to a man and a woman who are both unrelated by blood and not married to each other;
- age discrimination claims involving minors, government-aided housing for the elderly, public or private discount programs for persons 60 years of age and older, and privately owned housing developed and maintained exclusively for persons within specified age groups.

In addition, the prohibition against discrimination because of physical disability cannot be construed to require the modification of any property or the provision of a higher degree of care than that provided to persons not physically disabled.

The fair housing provisions of the public accommodations statute are cast in broad general language. Unlike Title VIII, the statutory language of the public accommodations statute provides little direct guidance as to the specific forms of housing discrimination it prohibits. Recognizing that the public accommodations statute is a remedial provision intended to further the general welfare, Connecticut courts and Commission hearing officers have given its prohibitions a liberal construction while interpreting its exceptions narrowly. The public accommodations statute has, for example, been construed to prohibit the discriminatory refusal to sell or rent a housing accommodation, the discriminatory refusal to show a house to a prospective renter and discriminatory evictions. Discrimination against a person because of the race of his/her co-tenant is also prohibited.

Another Connecticut statute, Conn. Gen. Stat. Section 46a-58, grants the Commission the authority, in certain circumstances, to receive and process complaints alleging violations of other Connecticut and federal fair housing provisions. This statute is available to any person who is subjected to the deprivation of any right, privilege or immunity secured or protected by the constitution or laws of Connecticut or of the United States if such deprivation is on account of the various protected class bases specified in the statute.

It is also illegal in Connecticut to discriminate in rentals against families with children. The provisions of the families with children law apply only to discrimination by landlords or their agents. Like the public accommodations statute, this law has certain exceptions and exemptions. The statute does not apply to the following:

- the rental of single-family and two-family houses;
- the rental of dwelling units in a house containing dwelling units for not more than four families, if the owner of the house resides in one of the dwellings.

In addition, landlords and their agents cannot be required to rent to families with children if such rentals would violate any law, regulation, or condominium bylaw.

CONCLUSION

The Commission on Human Rights and Opportunities has access to a number of fair housing laws. Some laws are broader than others. Thus, an individual who has been discriminated against should always file a complaint. What may be an exempt practice under one statute may not be exempt under another statute. The Commission staff are knowledgeable in this area, and will accept complaints with any jurisdictional basis.

AN OVERVIEW OF RECENT
CHRO FAIR HOUSING ACTIVITIES

From 1981 to the present, the Commission has taken a number of steps to increase public knowledge and awareness of fair housing rights and responsibilities and improve its own capacity to process fair housing complaints. These efforts were intended to encourage the increased filing of fair housing complaints with the Commission and the improvement of the Commission's ability to process such complaints in a timely and thorough manner. It was also hoped that increased public knowledge of fair housing laws, and the availability of an effective state administrative fair housing enforcement mechanism, would have a deterrent effect on housing providers, and real estate professionals who might violate state and federal fair housing laws out of ignorance or design.

In 1982, the Commission entered into a number of contracts with the U.S. Department of Housing and Urban Development (HUD) to facilitate these goals. Pursuant to these contracts, the Commission revised and improved its internal fair housing record-keeping systems. These improvements enable the Commission to quickly store and retrieve information pertaining to individual fair housing cases and to report to HUD on cases jointly filed with both agencies.

To improve the ability of Commission staff to process fair housing complaints, the Commission developed a comprehensive reference guide to state and federal fair housing laws and Commission fair housing case processing procedures entitled Connecticut Fair Housing Law: An Interpretative Manual. Commission staff also attended a number of training sessions and seminars on fair housing issues, including sessions sponsored by HUD, the International Association of Official Human Rights Agencies and the University of Connecticut School of Law.

The Commission also provided an extensive in-housing training program for its investigative personnel on fair housing issues.

During this period, the Commission took steps to improve its relationship with local fair housing officials and private fair housing professionals. As part of these efforts the Commission surveyed all of the fair housing resources in the state and compiled this information in the Connecticut Fair Housing Resource Directory. The Commission also published the Connecticut Fair Housing Handbook which contains a laymen's summary of state and federal fair housing laws and a brief review of the Commission's fair housing case processing procedures. Both publications were distributed to fair housing professionals and interested members of the public. The Commission also conducted two all-day training sessions for private and governmental fair housing officials and professionals. The Commission provided frequent assistance to such people on an individual basis. A referral form was also developed by Commission staff to facilitate fair housing complaint referrals and referral codes were assigned to frequent referral agencies to track complaints filed with the Commission.

In 1983 the Commission, with federal financial assistance from HUD developed a Fair Housing Resource Center. The Center consisted of staff having expertise in fair housing and served three functions: 1) outreach and education - to increase the public's awareness of fair housing rights and responsibilities; 2) the development of a fair housing testing program - to augment fair housing enforcement; and 3) the development and strengthening of the Commission's ability to combat systemic forms of housing discrimination.

The Fair Housing Resource Center prepared newsletters and provided publications, speakers and information on fair housing laws to fair housing professionals, community groups and the public. Persons calling the Commission were

provided guidance on interpretations of Connecticut fair housing laws and Commission procedures. In addition, the Commission co-sponsored a major state-wide Fair Housing Conference with the State Department of Consumer Protection, the State Real Estate Division, and the Connecticut Association of Realtors, Inc. The conference provided the real estate industry with concrete instruction on state and federal fair housing laws and generated dialogue between real estate and fair housing professionals on important fair housing issues.

The final function of the resource center was to enhance the Commission's ability to address systemic forms of housing discrimination, i.e. that type of discrimination which affects large numbers of people and/or raises important public issues. The Commission developed a comprehensive text on this subject. The text and newly refined procedures for investigating systemic housing discrimination complaints and for Commission-initiated complaints, will provide a significant benefit to Commission staff in the investigation and processing of systemic cases.

The Commission is currently in the process of developing a comprehensive fair housing testing program to enhance its fair housing enforcement. Testing involves the use of persons who pose as homeseekers to determine if a particular housing provider or housing service provider is violating fair housing laws. Testing is a valuable enforcement tool where other evidence of discrimination is lacking or unavailable. The Commission has developed manuals for testers and the training of testers and has prepared policies and procedures for the use of testers in the Commission's enforcement program.

The Commission's latest endeavor, with HUD assistance, is to develop a model training program for fair housing enforcement agencies throughout the country. The objective of the program is to provide training materials that

a fair housing agency can utilize to train its investigative personnel in basic techniques for investigating and settling housing discrimination complaints. The training materials consist of user's manuals, instructor's guides, student texts and student workbooks. While in draft form, these materials were field tested through a training program for Commission investigators, held on December 16, 17, and 18, 1985. Extensive evaluation and review of that training and the materials used is being undertaken by a private contractor, to assist the Commission in finalizing the model program.

Recently, the Commission has noted a trend in increasing damage awards and increasing monetary settlements in Commission housing discrimination cases. While certain types of money damages are limited by statutory language, awards are nevertheless increasing. This trend corresponds to the Commission's expansion of its fair housing enforcement effort through the programs referenced above. The Commission believes that the trend is at least in part due to the added training and investigative tools it has provided to its investigative staff and others, to make them aware of what types of evidence to look for in order to establish both the act of discrimination and the appropriate remedy. Whatever the case, one thing is for certain, that as damage awards increase and the cost of discrimination becomes higher, the deterrent effect of the Commission's enforcement will increase.

METHODOLOGY USED TO PREPARE FOR THE

FACT - FINDING HEARINGS

The Commission's fact-finding hearings on Housing Discrimination and Opportunities in Connecticut required a significant amount of planning and organization. The following information sets forth the methods and procedures used to plan the hearings.

In its efforts to solicit a wide range of testimony, the Commission decided to hold its hearings in the state's major population centers: Bridgeport, New Haven, Waterbury, Norwich and Hartford. These municipalities are also the areas with the highest Minority (Black, Hispanic) populations.

Approximately two months prior to the hearings, the Commission began publicizing the impending hearings. A press release was sent out to newspapers statewide notifying the public of the purpose of the hearings and the hearing schedule. The press releases encouraged those with general or personal knowledge of discriminatory housing practices to present evidence and testimony to the Commission. The Commission also developed public service announcements which were aired by many of the state's radio stations.

Additionally, more direct methods were utilized to inform the public of the hearings. Special Projects staff were assigned to go into communities throughout the state and directly contact groups representing community interests, religious groups, fair housing groups, and others who potentially could provide testimony. In some instances, potential witnesses were asked to complete a "Discriminatory Housing Practices Questionnaire" (See Attachment A). The results of these questionnaires later assisted the Commissioners and Counsel in their questioning of witnesses.

In soliciting testimony for the hearings, a broad range of opinions was sought. Letters of invitation were sent to the Governor, municipal officials, and state legislators.

Also, the Commission subpoenaed the realtors who were the subject of the Bridgeport Post-Telegram testing survey and other realtors who control a large part of the rental housing market in Hartford county.

Any person contacted during the course of these hearings who appeared to have a timely housing discrimination complaint within the Commission's jurisdiction was counseled to file a formal complaint of discrimination with the Commission.

The Commission undertook special efforts to ensure that all persons who desired to testify were given the opportunity. It established day and evening sessions for all hearings to accommodate more people. Also, to address special needs, the Commission provided Spanish speaking translators at all hearings and hearings were only scheduled at locations that were handicapped accessible.

In conducting each hearing, the Commission used the following procedures. The full Commission sat at each hearing. Counsel for the Commission attended and participated fully in the hearings and provided legal guidance. Both the Commissioners and Counsel participated in the questioning of witnesses. All hearings were conducted in accordance with established rules (See Attachment B).

Commission staff performed several functions at the hearings. A staff person was assigned as clerk at each hearing to record names of witnesses and to receive and mark exhibits. A staff attorney was utilized to administer an oath of truth to witnesses. Additionally, Commission investigative staff attended each hearing to begin legal proceedings for any jurisdictional housing discrimination complaints detected.

Finally, it should be noted that during the course of the hearings the Commission utilized the services of a stenographer. A verbatim transcript was made of each hearing session.

DISCRIMINATORY HOUSING PRACTICES QUESTIONNAIRE

INSTRUCTIONS: The State Commission on Human Rights and Opportunities seeks your cooperation and assistance in exposing discriminatory housing practices in connection with the Commission's plans to hold fact-finding public hearings in April and May, 1985. Please take a moment to complete this Questionnaire. Following its completion, the Commission's representative will review your responses with you, and seek further clarification if necessary. The Commission is seeking to learn about your general knowledge of discriminatory housing practices in your community, as well as about your personal experiences with discriminatory practices.

NAME _____
ORGANIZATIONAL AFFILIATION (If Any) _____
ADDRESS (No. & Street, City, Zip Code) _____ _____
TELEPHONE NOS. Home _____ Work _____ Other _____

A. AREAS OF INQUIRY -- Discriminatory Practices

1. Do you have knowledge of any person, or persons, refusing to sell or rent to, deal or negotiate with any person because of their race, creed, color, national origin, ancestry, sex, marital status, age, mental retardation or physical disability, including, but not limited to, blindness or deafness, or because they have minor children?

PERSONAL EXPERIENCE

YES NO

GENERAL KNOWLEDGE

YES NO

2. Do you have knowledge of persons being discriminated against because of their race, national origin, sex, etc. in the terms or conditions for buying or renting housing? (For example, higher income required, different security deposits, requirements applied unequally, better credit rate or more credit references, residency requirements, etc.)

PERSONAL EXPERIENCE

YES NO

GENERAL KNOWLEDGE

YES NO

3. Do you have knowledge of advertisements (newspaper, radio, flyers), indicating that housing is available only to persons of a certain race, sex, national origin, etc.? (For example, "adults only", "no singles", "Italian family", "quiet elderly couple", etc.)

PERSONAL EXPERIENCE

YES NO

GENERAL KNOWLEDGE

YES NO

4. Do have knowledge of any person, or persons, denying to any person because of their race, national origin, sex, etc. that housing is available for inspection, sale or rent when it really is available?

PERSONAL EXPERIENCE

YES NO

GENERAL KNOWLEDGE

YES NO

5. Do you have knowledge of a practice of "blockbusting" for profit where owners have been persuaded to sell or rent housing by being told that racial or ethnic minority groups, or mentally retarded persons, etc. are moving into the neighborhood?

PERSONAL EXPERIENCE

YES NO

GENERAL KNOWLEDGE

YES NO

6. Do you have knowledge of a practice of "steering" home or apartment seekers to neighborhoods, streets, sections of town, or communities that are predominantly of one race, ethnic group, etc.?

PERSONAL EXPERIENCE

YES NO

GENERAL KNOWLEDGE

YES NO

7. Do you have knowledge of a practice of "segregating" persons of one race, national origin, etc. in certain sections of an apartment complex, or on certain floors of a building, or assigning persons differently to available housing accommodations?

PERSONAL EXPERIENCE

YES NO

GENERAL KNOWLEDGE

YES NO

8. Do you have knowledge of a practice of assessing disabled individuals fees associated with handicapped parking spaces, curb cuts, specially-equipped housing units, special equipment or appliances, guide dog exercise areas, etc.?

PERSONAL EXPERIENCE

YES NO

GENERAL KNOWLEDGE

YES NO

9. Do you have knowledge of a practice of denying or making different conditions for home mortgages, loans, or insurance by financial institutions, including the practice of "red-lining" of economically depressed areas of housing that are predominantly non-White?

PERSONAL EXPERIENCE

YES NO

GENERAL KNOWLEDGE

YES NO

10. Do you have knowledge of a practice of denying the use of, or participation in, any real estate services related to the selling or renting of a housing accommodation? (For example, denial of real estate services, denial of access to multiple listing services, restricting opportunities for Minority agents or brokers, etc.)

PERSONAL EXPERIENCE

YES NO

GENERAL KNOWLEDGE

YES NO

11. Do you have knowledge of real estate brokers or real estate agents failing to inform prospective clients (homesellers or landlords) of the prohibitions against housing discrimination?

PERSONAL EXPERIENCE

YES NO

GENERAL KNOWLEDGE

YES NO

12. Are you aware of offices or facilities where housing services or real estate services are provided that do not have fair housing/equal housing opportunity posters prominently displayed, or where such posters may have been defaced with derogatory markings?

PERSONAL EXPERIENCE

YES NO

GENERAL KNOWLEDGE

YES NO

13. Do you have knowledge of any circumstances in which real estate services or housing services have been denied to persons because of their inability to speak English, or because the facilities may not have been accessible to physically disabled individuals?

PERSONAL EXPERIENCE

YES NO

GENERAL KNOWLEDGE

YES NO

14. Do you have knowledge of restrictive zoning requirements that limit rental housing, low or moderate-cost housing, mobile homes, factory-built housing, establishment of group homes for the mentally retarded?

PERSONAL EXPERIENCE

YES NO

GENERAL KNOWLEDGE

YES NO

15. Do you have knowledge of any person, or persons, who were subjected to harassment, intimidation, coercion or interference with the exercise of their housing rights?

PERSONAL EXPERIENCE

YES NO

GENERAL KNOWLEDGE

YES NO

B. AREAS OF INQUIRY -- Governmental Activity

1. Have you ever complained about a discriminatory housing practice to anyone of the following:

- | | |
|---|---|
| <input type="checkbox"/> U.S. Department of Housing and Urban Development | <input type="checkbox"/> U.S. Department of Justice |
| <input type="checkbox"/> State Commission on Human Rights & Opportunities | <input type="checkbox"/> State Real Estate Commission |
| <input type="checkbox"/> State Department of Housing | <input type="checkbox"/> Housing Court |
| <input type="checkbox"/> State's Attorney/Prosecutor | <input type="checkbox"/> State Police |
| <input type="checkbox"/> City Human Rights/Human Relations/Equal Opportunity Commission | <input type="checkbox"/> City Fair Housing Office |
| <input type="checkbox"/> Municipal Police | OTHER: _____ |
| | _____ |

If you checked any of the above, please indicate when.

2. Do you have a complaint presently before any of these agencies?

YES NO

If yes, specify which agency?

3. How do you feel about the service you have been provided?

4. If you have experienced a discriminatory housing practice, and did not complain about it to anyone, can you tell us why not?

5. Have you utilized the services of a private attorney, or legal services, to redress a discriminatory housing practice?

YES NO

6. What would you recommend that anyone of the government bodies listed in question 1. above do to improve the protections and/or services provided to persons affected by discriminatory housing practices?

7. Would you recommend that legal protections against housing discrimination be broadened?

YES NO

If yes, how?

8. Do you believe that housing discrimination exists?

YES NO

Why?

C. COMMENTS

1. Is there anything that you would like to add?

2. Do you have any comments about this Questionnaire, interview, the Commission's fact-finding hearings, etc.?

Return this Questionnaire to the Commission's Representative, or return it to:

Commission on Human Rights and Opportunities
Special Projects Division
90 Washington Street
Hartford, CT 06106

RULES
for Conducting Fact-finding Hearings
Into the Status of Housing Discrimination and Opportunities in Connecticut
conducted by

The Connecticut Commission on Human Rights and Opportunities
April/May 1985

1. Any person may attend any hearing.
2. A panel of commissioners will conduct each hearing session. One of the commissioners will chair each session. Counsel for the Commission will attend and participate fully in the hearings.
3. The chairperson will open each session and state the purpose of the hearing, rules for conduct of the hearing, and the authority of the Commission to conduct the hearing.
4. The chairperson will ask interested persons to stand, come before the chairperson, and state facts relating to housing discrimination and opportunities. All persons wishing to speak will be asked to direct statements, questions and comments to the chairperson only.
5. Persons will be asked to identify themselves before presenting facts. However, no member of the public will be required to register or furnish information as a prerequisite to attending any session.
6. All statements will be taken under oath and recorded and transcribed.
7. All persons will be asked to limit their presentations to ten minutes, with extensions to be granted at the discretion of the chairperson.
8. All documents or exhibits presented to the commissioners will be identified aloud by the chairperson and catalogued.
9. Any commissioner and Counsel for the Commission may direct questions to any speaker.
10. Transcripts of each hearing session and exhibits received at each hearing will be available for public inspection at 90 Washington Street, Hartford, Connecticut, within a reasonable period of time after each session.
11. Representatives of the media may film record the hearing sessions and take photos. However, the chairperson may prohibit filming and photos if either become disruptive to the orderly conduct of the session.
12. Members of the public may record any hearing session.
13. If a quorum of the commissioners exists at any session, the commissioners may go into executive session upon an affirmative vote of two-thirds of the commissioners present and voting, and stating the reasons for the executive session.
14. The chairperson may remove persons disrupting any session.
15. The chairperson may adjourn the hearing at any time for any reason.