

November 28, 2011

The Honorable Shaun Donovan
Department of Housing and Urban Development
451 7th Street SW
Washington, DC 20410

The Honorable Eric Holder
Department of Justice
950 Pennsylvania Avenue NW
Washington, DC 20530

Dear Secretary Donovan and Secretary Holder:

The undersigned organizations represent a broad cross-section of housing and immigration advocates united in our concern about the impact of Alabama's House Bill (HB) 56 on the housing rights of all residents in the state. Alabama's HB 56 is the latest effort by a state or local government to restrict the rights of immigrants. For good reason, much of the focus has been on the negative repercussions of such laws and ordinances on families, the economy, and the educational system. However, less attention has been paid to the dire circumstances immigrants and citizens face in their home or during their housing search as a result of restrictive laws and ordinances. We are writing to urge you to conduct a thorough investigation of housing discrimination in Alabama and move swiftly to enforce the Fair Housing Act when violations are found.

Each year, more than four million incidents of housing discrimination occur nationally. Unusual circumstances that force vulnerable families to move quickly, such as natural disasters, often result in an uptick in discrimination. Alabama's punitive law is creating this kind of situation throughout the state. HB 56 targets immigrants specifically. One provision will make it a felony for an undocumented resident to enter in to a contract with the state government, and make contracts with undocumented residents in general unenforceable. Advocates on the ground are extremely concerned that this could lead to unwarranted evictions and unfair denial of housing. Fears of eviction, arrest, and deportation are not only causing families to consider fleeing the state but also discourage individuals from filing a fair housing complaint.

The intimidation is not limited to the undocumented but extends to those with legal status and US citizens. The Department of Housing and Urban Development and the Department of Justice must send a strong signal that housing discrimination of any kind will not be tolerated. Below are three recommendations that could alleviate the hostility currently experienced by Alabama's Latino and immigrant communities.

- **Conduct match-paired testing in areas identified by local leaders as anti-immigrant hot spots.** High-quality testing will uncover incidents and patterns discrimination and disparate treatment for enforcement action.

- **File a Secretary-initiated complaint.** Secretary-initiated actions are a particularly important tool in this context. It can be difficult for complainants to come forward when they fear being reported to Immigration and Customs Enforcement (“ICE”). This fear may exist regardless of a person’s immigration status and fears of discovery of immigration status or of ICE generally could have a chilling effect on victims’ willingness to file a fair housing complaint.
- **Provide emergency funding to fair housing centers battling anti-immigrant laws and ordinances.** Alabama’s HB 56 is an unprecedented attack on immigrants with a ripple effect on communities of color. Fair housing agencies charged with upholding the Fair Housing Act require additional resources to meet the increase demand for their services. Moreover, resources are needed to educate residents and landlords on their rights and responsibilities under the Fair Housing Act.

A family’s home should be the one place parents and children feel safe. Unfortunately, Alabama’s HB 56 is causing widespread fear and intimidation among immigrant households and the broader community of color. We strongly urge HUD and DOJ to investigate violations of the Fair Housing Act and take a “zero tolerance” approach to housing discrimination. Should you have any questions or wish to follow up on our recommendations, please contact Janis Bowdler, National Council of La Raza, at jbowdler@nclr.org or (202) 776-1748. We look forward to working with you on this critical issue.

Sincerely,

Coalition for Humane Immigrant Rights of Los Angeles
Consumer Action
NAACP
National Coalition for Asian Pacific American Community Development
National Council of La Raza
Neighborhood Economic Development Advocacy Project
Poverty & Race Research Action Council
The Equal Rights Center