



**Commissioner Nick Fish**  
City of Portland

April 25, 2012

Mr. Larry Southall  
11560 SE Stark  
Portland OR 97216

Dear Larry:

Thank you for your letter dated March 27, 2012, and the accompanying "Review of the *Analysis of Impediments to Fair Housing Choice Report* for Portland/Gresham/Multnomah County, 2011."

I appreciate your feedback concerning the Portland Housing Bureau's ("Housing Bureau") work on fair housing and the *2011 Fair Housing Plan: An Analysis of Impediments to Fair Housing Choice and the Strategies to Address Them* ("AI report").

This letter responds to a number of the issues you raise. I am copying the individuals and organizations who wrote to me in support of your letter.

**General Comments**

As Commissioner in charge of the Housing Bureau, I am charged with promoting housing choices for individuals and families priced out of the market. I strongly share your conviction that the "principle of fair housing is critically important to all of us" and is "generally held to be a fundamental right of free people."

I also acknowledge and applaud your affirmation of the seven impediments identified in the AI report – including discrimination, shortage of affordable homes, unintended gentrification, and understanding of fair housing laws – and your support for many of the recommendations proposed to address them.

In your letter, you identify "impediments" faced by housing providers in our community, including complex regulations, confusion regarding compliance, and overly broad statutes.

I agree that our fair housing laws are complex, especially for smaller landlords who may not have access to the training and other resources that a large property management company can provide. That is why I believe in both education *and* enforcement of the laws.

Your analysis of the AI report focuses primarily on the audit test results we received from the Fair Housing Council of Oregon (FHCO). I agree that the testing performed by FHCO was not of acceptable quality, and that the data is therefore unreliable. Moving forward, we will work to address these deficiencies in future tests.

Finally, I agree with you that the sign pictured on page 81 of the AI report should not have been used, particularly without a caption.

### **Unsubstantiated Claims**

In your letter, you make a number of claims with which I strongly disagree.

First, you write that “non-government fair housing advocates” are operating as HUD’s “paid bounty hunters.”

This gross generalization elevates rhetoric over substance. Just as most landlords are good people doing their best to operate within the law, so too most fair housing professionals are dedicated to working with government and with landlords to eliminate housing discrimination. I would no more paint all fair housing organizations as bounty hunters than I would paint all landlords as agents of discrimination.

Next, I disagree with your claim that “the principle of fair housing has floundered with ambition that overleaps itself.” Despite decades of work to end housing discrimination, biases still persist. The AI report documents the challenges we still face—drawing upon complaint data, anecdotal information, and surveys we conducted.

Families in our community continue to suffer from illegal discrimination because of their disability, religion, sexual orientation, national origin, or other protected class status. We cannot turn a blind eye to this.

Finally, you request that we re-write the AI report. The AI report was accepted by HUD in late 2011. At this time we do not intend to revise the report.

That said, we will strive at all times to act in a fair and objective manner. We welcome your voice and the voice of the Rental Housing Association of Greater Portland (RHAGP), and we are committed to a transparent, accountable process where all voices are respected and all input is considered.

### Conclusion

The landlord community in Portland deserves credit for the many ways it partners with the Housing Bureau and others to support the principles of fair housing. As an example, the Metro Multifamily Housing Association, which represents Portland-area landlords, and Oregon ON, a statewide group which includes a number of landlords, recently presented their respective "Fair Housing Best Practices" to the Portland Housing Advisory Commission.

We are fortunate to have strong partners in our efforts to educate the landlord community about their rights and responsibilities, and to enforce violations of the law when necessary. Together with landlords, tenant advocacy groups, and enforcement agencies, we will work hard to provide a fair and just environment for Portland renters.

I look forward to working with the landlord community to further our shared goal of promoting housing choice in our community.

Sincerely,



Nick Fish  
Commissioner

cc: Phil Owen, RHAGP  
Kathryn King, KJK Properties  
Cliff Hockley, Bluestone & Hockley  
Kia Selley, City of Gresham  
Mary Li, Multnomah County  
Fair Housing Advocacy Committee