



FAIR HOUSING CENTER OF CENTRAL INDIANA, INC.

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**Testimony of
Amy Nelson, Executive Director,
Fair Housing Center of Central Indiana
on SB 344 before the
Senate Committee on Rules & Legislative Procedure
January 27, 2016**

Mr. Chairman, and members of the Committee, my name is Amy Nelson and I am the Executive Director of the Fair Housing Center of Central Indiana (FHCCI). The FHCCI is a nonprofit organization working to promote fair housing and address incidents of housing discrimination. Although the FHCCI believes in full protection from discrimination due to sexual orientation, we cannot support any bill which does not provide equal protection for gender identity, gender expression, and for our transgender family, friends, and neighbors.

Currently, it is unlawful under the Indiana Fair Housing Law and/or the Indiana Civil Rights Act to discriminate in a housing transaction on the basis of race, color, religion, national origin, ancestry, disability, gender, and/or familial status. While certain Indiana localities, including Indianapolis, have put in place human relations ordinances that forbid discrimination in housing, employment, and/or public accommodations on the bases of sexual orientation and/or gender identity, these ordinances often lack strong enforcement processes and are frequently not equal to state and federal protections. This leaves victims of discrimination with little recourse when they have been denied housing or employment.

Although 20 states have added sexual orientation and gender identity to anti-discrimination laws, there is still no statewide protection against housing discrimination on the basis of sexual orientation or gender identity in Indiana. Housing discrimination against households due to sexual orientation and/or gender identity still occurs and is unfortunately still legal in many areas of the country, including many areas of Indiana. The FHCCI has received a dozen complaints from Hoosiers regarding potential housing discrimination due to sexual orientation or gender identity. These complaints have included the use of slurs by landlords as well as the loss of housing. Unfortunately, there are relatively few options for those who experience such housing discrimination.

National studies and studies from other parts of our country show that LGBT discrimination in housing is occurring and at significant levels. We cannot assume it is not occurring at similar levels in Indiana. A Joint Study of the [Better Homes and Gardens® Real Estate](#) and the National Association of Gay and Lesbian Real Estate Professionals (NAGLREP) found that 73% of survey responders stated strong concern about some aspect of housing discrimination, either in purchasing a home or renting. A [2013 HUD Study](#) found that same-sex couples experience less favorable treatment than heterosexual



couples in the online rental housing market. The primary form of adverse treatment is that same-sex couples receive significantly fewer responses to e-mail inquiries about advertised units than heterosexual couples. A [2013 Study by a Washington, DC fair housing organization](#) found that 48% of those seeking housing in a senior living facility for a same-sex couple experienced at least one form of adverse differential treatment, as compared to those inquiring about housing for a heterosexual couple. A 2015 study by [HOME of Virginia](#), a nonprofit fair housing organization, found a 44% rate of discrimination against same-sex couples in their search for rental housing.

**A 2015 NATIONAL STUDY*
FOUND THAT 73% OF LGBT
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STRONG CONCERN ABOUT
HOUSING DISCRIMINATION.**

*SOURCE: BETTER HOMES & GARDENS / NAHREP, LGBT HOME BUYER AND SELLER SURVEY



Case filings have been rare to date due to lack of adequate protection. In 2013, a [Nebraska jury awarded \\$147,000](#) to two gay men after finding that the couple had been discriminated against by an on-site maintenance man and others who failed to stop the apartment maintenance man's harassment due to their sexual orientation. In another case from 2013, HUD reached a settlement with [Bank of America](#) to settle a claim that the mortgage lender refused to provide FHA financing to a lesbian couple.

Recent reports indicate levels of housing discrimination experienced by those who are transgender are also at significant levels. A [2011 report](#) found that 19% of transgender people had been refused a home or an apartment because of their identity, and 11% had been evicted because of discrimination. For those who had attempted to access homeless shelters, the report noted 29% were turned away altogether, 42% were forced to stay in facilities designated for the wrong gender, and others encountered a hostile environment. Fifty-five percent (55%) reported being harassed, 25% were physically assaulted, and 22% were sexually assaulted. Those surveyed were forced to use various strategies to secure shelter including moving into a less expensive home/apartment (40%), moving in with family or friends (25%), and having sex with people to sleep in a bed (12%). Furthermore, the National Alliance to End Homelessness [estimates](#) that gay and transgender youth make up about 20% of homeless youth nationwide, and the National Gay and Lesbian Task Force has suggested that the number may be as high as 40%. In August 2013, HUD issued its first [charge of discrimination](#) involving a transgender person being discriminated against by a Texas mobile home park owner.

The Fair Housing Center of Central Indiana urges your vote **against** SB 344. We ask the General Assembly to reconsider new language and **pass a bill which provides strong, comprehensive, fair housing protections for BOTH sexual orientation and gender identity/expression/transgender.** Unfortunately, SB 344 is not that bill.

**A 2014 INVESTIGATION
CONDUCTED IN WASHINGTON,
D.C. FOUND THAT 48% OF OLDER
SAME-SEX COUPLES SEEKING
INDEPENDENT LIVING IN A SENIOR
HOUSING COMMUNITY WERE
SUBJECTED TO AT LEAST ONE TYPE
OF DIFFERENTIAL TREATMENT
COMPARED TO OPPOSITE-SEX
COUPLES SEEKING IDENTICAL
HOUSING.**

SOURCE: THE EQUAL RIGHTS CENTER, WASHINGTON D.C.



The Fair Housing Center of Central Indiana (FHCCI) is a private, non-profit fair housing organization. Its mission is to ensure equal housing opportunities by eliminating housing discrimination through advocacy, enforcement, education and outreach. For more information on fair housing or enforcing fair housing rights, visit www.fhcci.org.