



**Testimony of  
Amy Nelson, Executive Director  
Fair Housing Center of Central Indiana  
on HB 1314  
House Judiciary – January 25, 2021**

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 (Center). The Center is a nonprofit organization with a mission to ensure equal housing opportunities by eliminating housing discrimination through advocacy, enforcement, education, and outreach.

Starting in 1910 and continuing into the 1950s, neighborhoods and subdivisions across our state and country put in place restrictive covenants denying homeownership due to race, color, religion, and national origin. These covenants most often targeted Blacks, Chinese, Japanese, Italians, Irish, Jews, Catholics, and others. The Center occasionally receives contacts from Hoosiers who have discovered that their neighborhood or their deed has a covenant with discriminatory language in it. I typically explain how these covenants are no longer enforceable. They then ask about the process to remove the language and we are unable to provide one. Consequently, we appreciate Representative Torr in raising awareness of this issue and sponsoring this bill to provide a process.

Our requested amendments are:

- On Page 1, line 10 and Page 2, line 15, add “disability” to the list of protected classes identified. This amendment would then have all protected classes under federal fair housing law listed. If the committee wants to match Indiana Civil Rights Law, then “ancestry” should also be added.
- On Page 1, line 16, change “may” to “shall.”
- On Page 1, line 17, strike “With the consent of all parties to the transaction.” This is because making, printing, or publishing a discriminatory statement is unlawful under fair housing laws so consent need not be required.
- On Page 1, Section 2, add a provision that requires that any person, including an agency that records deeds, mortgages, or other transactions, to add such a statement or notice to the document before the document is initially filed.

The Fair Housing Center of Central Indiana supports this bill, with these amendments, and urges its passage. Thank you for your consideration.

An example of a covenant from here in Indianapolis (Meridian Kessler Terrace):

of the residence constructed thereof:  
**RACIAL RESTRICTIONS.** The ownership and occupancy of lots and buildings in this addition are restricted to the members of the pure Caucasian race, No Negro, Mullatto, Chinese, Japanese or person of any race or mixture or race, except the members of the pure white race, shall acquire title to any lot or buildings or have the right to occupy such lot or building as owner, tenant or otherwise, except this covenant shall not prevent occupancy by domestic servants of owners or tenants employing persons of a prohibited race or nationality who may stay upon the premises during the period of such domestic service.  
INTOXICATING LIQUORS. No spirituous, vinous, malt, alcoholic or other intoxicating