

Housing Opportunities Project for Excellence (HOPE), Inc. fights housing discrimination to ensure your civil rights.

We have a three-tiered strategy of (1) Education & Outreach, (2) Intake & Counseling, and (3) Private Enforcement. Thanks to federal, state and local funding, all of our services are **free to the public**. We are here to honor the legacy of the civil rights movement by striving for a truly just and equal society.

To become a tester or volunteer, please call (305) 651-4673 in Miami-Dade or (954) 567-0545 in Broward.

Thank you!

Senate Bill 264 Affects Buyers, Sellers, and Realtors Across Florida



Senate Bill 264 limits options for buyers, limits prospects for sellers, and creates administrative difficulties for realtors.

IN THIS ISSUE:

Pg. 2: Progress & work to do

Pg. 3: Miami Fair Housing Month event, Appraisal bias

Pg. 4: Miami Beach discrimination, Home access

Pg. 5: Algorithm discrimination

Pg. 6: HOPE's outreach



We're on Facebook!
Please search for:

HOPE Inc Fair Housing

We're on X (formerly called Twitter)!
Please find us and follow us at: @hope_fhc



We're on Instagram!
Please find us and follow us at: @hope_fhc

follow us at: @hope_fhc

Florida Senate Bill 264, also known as the “Interests of Foreign Countries” bill and SB 264, was signed into law in 2023 with several implications for real estate transactions, especially in South Florida. The bill restricts certain foreign nationals identified as coming from 'countries of concern' (e.g., China, Russia, Iran, North Korea) from purchasing agricultural properties, properties near military bases, and critical infrastructure. This can reduce the buyer pool for high-demand properties in South Florida, potentially slowing sales in these categories.

Realtors and brokers must conduct more rigorous due diligence to verify the nationality and residency of potential buyers. This includes collecting more detailed documentation to ensure compliance with the new regulations. The need for additional verification can slow down the transaction process, extending the timeline for closing.

SB 264 not only affects buyers and realtors, but sellers as well. Sellers may see a reduction in demand from foreign buyers within the restricted categories, affecting property prices and

market dynamics. Selling to a restricted buyer can result in legal consequences, including fines or penalties for real estate professionals and potential nullification of the sale.

This law prohibits seven foreign countries of concern and their citizens from buying certain land — China, the Russian Federation, Iran, North Korea, Cuba, the Venezuelan regime of Nicolás Maduro and the Syrian Arab Republic, but directly targets the Chinese by not allowing them to buy property in large portions of the state, with only a few exceptions. It also requires Chinese nationals who already own property to register with the State or face steep fines.

This law is unconstitutional and discriminatory. Fear of legal consequences may cause people who are already living here to want to pack up and move out of Florida. SB 264 has affected and will continue to affect realtors, buyers and current homeowners in Florida. The Fair Housing Act was put into place so that people can have the right to choose where they want to live, but SB 264 is taking that right away for certain groups of people.



HOPE Inc.'s mission is to fight housing discrimination in Miami-Dade and Broward Counties and to ensure equal housing opportunities throughout Florida.

MIAMI-DADE COUNTY
11501 NW 2nd Avenue Miami, FL 33168
TEL: (305) 651-4673 FAX/TDD: (305) 759-2440

BROWARD COUNTY
6491 Sunset Strip, Suite 8, Sunrise, FL 33313
TEL: (954) 742-3778 FAX: (954) 742-3780

2024-2025 BOARD OF DIRECTORS

CHAIRPERSON

Victor Romano, PhD
Barry University, Dept. of Sociology & Criminology

TREASURER

Juan Rojas
Banesco USA

SECRETARY

Anthony Britto
Individual Member

Darlene Bell-Alexander
Individual Member

Bradford Brown, PhD
NAACP, Past President

Donna Crump-Butler
BankUnited

Mary Ann Cruz
Amerant Bank, N.A.

Melanie Garman
TD Bank

Karla Gottlieb
Individual Member

Karl Kennedy
Individual Member

Mary MacNamara
Professional Bank

Marta Navarro
CNC Management

Eugene Simmons
Professional Bank

Bill Thompson
HOPE Founder/President Emeritus

PRESIDENT & CEO

Keenya J. Robertson, Esq.

The findings and substance of this publication are dedicated to the public. The authors and publishers are solely responsible for the accuracy of statements, content, and interpretations in this newsletter. Such interpretations do not necessarily reflect the views of the grantors.

Discrimination: How Far We've Come, How Much Work is Still Needed

May 17, 2024 marked the 70th anniversary of the US Supreme Court decision *Brown v. Board of Education of Topeka*. The decision came itself almost on the 60th anniversary of the notorious 1896 Supreme Court decision that it essentially overruled - *Plessy v. Ferguson*. The *Plessy* decision decreed that government-enforced racial segregation was legal, as long as the segregated individuals' facilities were equal in quality. Though there was a resistance to this immediately, it wasn't until over half a century later that the trials of a Black 8-year-old girl in Kansas finally convinced the Supreme Court to right this wrong. In 1951, Linda Brown was walking two miles to school and had to cross train tracks to get there. When her family was told that the closer school was for White people only, her family pushed back and the Supreme Court decided, on May 17, 1954, that public school racial segregation was unconstitutional. While not explicitly naming the *Plessy* decision as overturned, *Brown* and subsequent cases and laws have served to dismantle the *Plessy* decision - and segregation - over time.

Brown was a seminal case whose legacy helped advance equality across American life - employment, restaurants, hotels.....and housing. But, here we are 70 years later, and on June 4, 2024, actor Wendell Pierce revealed a personal story that showed that access to housing can still very much depend on race. Pierce is an accomplished actor with a distinguished, award-winning career in theater, film, and television. Actually inspired to speak up following a court decision that blocked funding to Black women-owned businesses around metropolitan Atlanta, GA, Pierce decided to publicly share an experience of his with housing discrimination to show "how destructive and insidious bigotry and racism are, and how it is memorialized into what institutionalized racism is." A year prior, Pierce was trying to rent an apartment in Harlem, New York, NY and was denied, despite clearly demonstrating his ability to pay. Pierce said that the White landlord simply did not want to rent to a Black person, even a financially successful one.

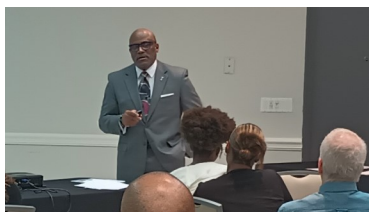
Pierce's story is not unique, sadly. Even in this land where race is not legally allow to play a role in housing options, complaints pour in that reveal just how much such discrimination (and discrimination for many reasons, including gender, disability, religion and others) occurs. To this end, on July 10, 2024, the National Fair Housing Alliance (NFHA) released its annual Fair Housing Trends Report. This report looks back at the previous year and analyzes the state of fair housing, nationally. In putting together the report, NFHA received data from its 86 member organizations, the 10 regional offices of the US Department of Housing and Urban Development, and 77 state and local government agencies. Complaints continue to increase, and the full report can be found with a Google search for 2024 NFHA Trends Report.

We've come a long way, but work remains. If you suspect discrimination, please do your part and report it!

HOPE Hosts Fair Housing Month Event in Miami

HOPE returned to in-person Fair Housing Month celebrations in 2024! Following the Broward event (covered in the 97th edition of this newsletter), HOPE hosted a Miami-Dade event on Friday, April 19, 2024. This event, hosted at the DoubleTree Biscayne Bay in Downtown Miami, included a workshop on housing and justice that had speakers Camilo Mejia of Catalyst Miami, Cornell Crews, Jr. of the Community Reinvestment Alliance of South Florida, and Dr. Junia Howell of the University of Illinois at Chicago.

The workshop was followed by a luncheon headlined by a keynote address from real estate agent Dylcia Cornelious, who was involved in a housing discrimination case surrounding the sale of a \$1.8 million home as the agent of the buyers (the victims of the discrimination). HOPE also honored multiple people who stepped forward to report housing discrimination, as well as community partner and fair housing advocate Craig Emmanuel.



Top pictures, left to right: Camilo Mejia and Cornell Crews, Jr. present during the morning workshop. Bottom picture: Dr. Junia Howell speaks at the workshop.



Top row, left to right: Pastor Michael Anderson delivers the invocation at the luncheon, Craig Emmanuel speaks after being recognized for his advocacy, and event speakers Dr. Junia Howell and Dylcia Cornelious fellowship with each other. Middle row, HOPE President and CEO Keenya Robertson, Esq. looks on as a community member speaks on facing discrimination, the great event wait staff. Bottom picture: Mrs. Cornelious delivers the keynote address. We hope to see you in 2025!

HUD, Fannie Mae and Freddie Mac Issue Guidance to Combat Appraisal Bias

On May 1, 2024, HUD, Fannie Mae and Freddie Mac published guidelines that combat mortgage loan and reverse mortgage loan appraisal discrimination. The guidance outlines how consumers may make requests for reconsiderations of value (ROVs) when they suspect that appraisals of their home values were too low as a result of unacceptable appraisal practices or reflect prohibited discriminatory practices. These guidelines only pertain to FHA, Fannie Mae or Freddie Mac loans.

HUD's March 2022 Action Plan to Advance Property Appraisal and Valuation Equity (PAVE) highlighted actions that the federal government could take to fight housing discrimination based on race, ethnicity and national origin in home appraisals by highlighting lender and appraisal industry practices that undermined borrowers' ability to initiate - or even be aware of - their right to ROVs. In response to the Action

Plan, the guidelines call for ROVs to be reviewed by lenders, for lenders to provide written reports showing that the ROVs were reviewed, and for underwriters to identify and remedy any observed deficiencies.

These guidelines provide a framework within which the process for borrowers to request a ROV, for lenders to review and resolve such requests and for appraisers to address ROVs is clearly outlined.

If you suspect that your home appraisal came it too low because of your race, color, national origin, religion, sex, disability or presence of children under 18, you may file complaint with any or all of the of the following agencies: US HUD (1-800-669-9777), Appraisal Complaint National Hotline (877-739-0096), Consumer Financial Protection Bureau (855-411-2372). You may also ask your lender for a reconsideration of value.

Thumbs Up! State Law is No Shield in Federal Miami Beach Condo Discrimination Case

Earlier in 2024, a federal Fair Housing Act lawsuit involving disability discrimination in a Miami Beach condominium was allowed to go forward. Back on September 11, 2023, plaintiff Eli Portnoy filed the lawsuit against Mei Condominium Association, Inc. because of treatment he says that he received while a resident at the condominium, located at 5875 Collins Ave in Miami Beach, FL. During this time, Mr. Portnoy suffered a seizure in the summer of 2021, and in the following Fall, he informed the condo association of his disability, he says.

Mr. Portnoy alleges that the condo association subsequently denied him access to the condo's gym because of his condition. Mr. Portnoy says that he submitted letters from his therapist and doctor that he should be allowed to use the gym. However, "legal counsel" for the condo association ultimately told Mr. Portnoy on November 12, 2021 that 1) his access to the gym would still not be granted and 2) his lease would not be renewed in March 2022, when it was set to expire.

Anna Strickstein-Zandman was President of the condo association at this time, and she allegedly had an acrimonious relationship with Mr. Portnoy. Mr. Portnoy says that Ms. Strickstein-Zandman is the one who informed him that he could not access the gym, due to

his condition. Weeks before the notification that his lease would not be renewed, Mr. Portnoy asked the condo association to have someone other than Ms. Strickstein-Zandman communicate with him about his residency at the condo.

The lawsuit was filed in the United States District Court for the Southern District of Florida. Mr. Portnoy alleges not only that the condo association discriminated against him by denying him access to the gym, but also that the association retaliated against him by deciding at the time of this trouble concerning his disability not to renew his lease, which was not set to expire for months in the future.

Ms. Strickstein-Zandman sought to have the lawsuit dismissed because Mr. Portnoy didn't allege that she had any responsibility as an individual, and even if he had, the Florida statutes gave her a specific immunity in such a situation. On February 28, 2024, Judge Roy Altman rejected both arguments. Mr. Portnoy had, in fact, named Ms. Strickstein-Zandman as personally responsible, and Florida statutes can't grant immunity to a case brought under the federal Fair Housing Act.

With the attempt to dismiss defeated, Mr. Portnoy's case goes on. Mr. Portnoy is represented by Miami civil rights attorney J. Courtney Cunningham.

HUD Translates Mortgage Documents to Increase Access to Homeownership

On July 3, 2024, the U.S. Department of Housing and Urban Development (HUD), through its Federal Housing Administration (FHA), is making available translated versions of 19 single family mortgage documents used in the servicing of FHA-insured mortgages. These documents will be available in Chinese, Korean, Spanish, Tagalog, and Vietnamese. The educational resources are accessible from FHA's language access web page and will assist lenders, servicers, housing counselors, and other FHA program participants in explaining information related to FHA-insured mortgages to those with limited English proficiency prior to the execution of these documents in English, as required by law.

This set of translations augments the 40 previously published translated mortgage origination documents and homeownership education resources already available to consumers. Together, these translated documents will remove language access barriers for FHA consumers whose preferred language is not English.

"At HUD, we are working to ensure that homeownership is accessible to everyone who wants it – particularly for first-time homebuyers. To do that, we must make sure everyone has access to information about our programs. This common-sense action will help families achieve their dream of owning a home," said HUD Acting Secretary Adrienne Todman. "Today, we are taking a crucial step towards a more inclusive, diverse, and equitable generation of homeowners."

"We continue to work to remove language access barriers for borrowers with FHA-insured mortgages. We believe it's critical for borrowers to understand the options for purchasing a home and for accessing assistance if an existing borrower has difficulty in making their mortgage payments," said Federal Housing Commissioner Julia Gordon. "With almost 60 mortgage documents translated into multiple languages, we now have a comprehensive collection of translated tools and resources for our program partners to use to more effectively reach those whose first language is not English." ~HUD Press Release

Thumbs up! Jacksonville Area Legal Aid Can Go Forward with Algorithm Discrimination Case

In June of 2024, Jacksonville Area Legal Aid (JALA)'s lawsuit withstood a test in a larger battle when a federal judge ruled that the suit could move forward toward a jury trial. In the lawsuit, JALA complains that algorithms were used in housing decisions to hurt Black renters. On the other side of the complaint sits Jacksonville Wealth Builders (JWB), in the form of JWB Real Estate Capital LLC and JWB Property Management LLC, which own and manage, respectively, thousands of Duval County, FL homes. The case could have far-reaching civil rights impacts, paving a way for future potential cases.

JWB sought to have the case dismissed, but this attempt was denied by U.S. District Judge Wendy Berger. Four Jacksonville residents are the plaintiffs in this suit brought by JALA in March of 2023, and the allegation is that JWB used certain software to screen would-be tenants, and generate results biased against Black people. The software in question is actually in widespread use across the country, so the outcome in this case could effect many people.

These residents would like to represent a greater number of Black people who've been hurt by this process, over the years. Specifically, the plaintiffs want to expand to a class of plaintiffs who were denied for evictions that were erroneously attributed to them. These plaintiffs would also be eligible to collect in any decision against JWB here.

JWB denies the allegations, which include claims that the algorithms used in the software have wrongfully led to tenant denials due to old information and erroneous identifications. Such arguments have been made before, but in this case, JALA says that JWB enforces policies that exacerbate the problem. According to the lawsuit, JWB has used a zero-tolerance policy concerning people with any eviction history.

If a potential tenant has been misidentified by the software or if the algorithm otherwise got

something wrong, JWB allegedly does nothing to account for these potential errors. This practice, the lawsuit alleges, disproportionately and negatively affects Black applicants. JALA argues that Black renters are more likely to have eviction filings on their records, locally and nationally and that JWB properties happen to be areas with more Black people than surrounding areas.

In her opinion, the judge wrote that negatively affecting one group like this is a valid foundation for a lawsuit. Such a phenomenon is called "disparate impact," where a policy that is apparently neutral nonetheless results in discrimination.

JWB argued that the plaintiffs didn't show a connection between JWB's practices and racial outcomes. But the lawsuit points out statistics at the national level (saying that Black people are 12% of the population, but half of the people threatened with eviction) and the Duval County level (where Black people are 29% of the population, but 71% of a "random sampling" of eviction filings). To this end, Judge Berger wrote that the argument is at least valid enough to bring to court that JWB's practices are "likely to disproportionately foreclose rental opportunities for Black applicants in Duval County as compared to their White counterparts."

JWB argued that the plaintiffs need more precise data, but, in denying JWB's motion to dismiss, the judge said that this isn't yet the time for such perfect evidence, and that the case can go on, past this preliminary point. The judge wrote that the plaintiffs "have alleged statistical evidence that Black applicants are more likely than White applicants to have experienced an eviction filing," and that "This would in turn result in the relevant reduction in housing opportunities for Black renters in Duval County, which would be directly linked to the policy."

A jury trial is scheduled for March 3, 2025, if the parties do not settle beforehand.

**Do you suspect housing
discrimination,
harassment, or
predatory lending?**

**Call HOPE TODAY!
Miami-Dade: (305) 651-4673
Broward: (954) 567-0545**

Affirmatively Furthering Fair Housing

The concept of “affirmatively furthering fair housing” is based on Section 808 (e) (5) of the federal Fair Housing Act which states that the Secretary of HUD shall administer housing and community development programs in a manner that affirmatively furthers the purpose of the Fair Housing Act. We dedicate this space to Miami-Dade and Broward jurisdictions that receive Community Development Block Grant (CDBG) funds and partner with HOPE to implement the following outreach.

Broward Area Outreach

The following jurisdictions were impacted by Broward area outreach activities during the quarter: Broward County, Davie, Fort Lauderdale, Tamarac, and other Broward locations.

Fair Housing and Predatory Lending Presentations: These presentations consist of PowerPoint visuals, formal lectures, question and answer periods, and informational packages. All presentations are modified to meet the individual needs of the sponsor. The following presentations were conducted (in English, unless otherwise noted):

- Amazing Community Partners, Lauderhill: 4/13/24, 5/11/24, 6/8/24
- Broward County Housing Authority, Lauderdale Lakes: 4/13/24, 5/11/24, 6/8/24
- Consolidated Credit Solutions, Fort Lauderdale: 4/27/24, 5/24/24
- Hispanic Unity, Hollywood: 4/20/24, 6/15/24

- Housing Foundation of America, Pembroke Pines: 4/13/24, 5/4/24, 5/11/24, 5/18/24, 6/1/24, 6/8/24
- Oasis of Hope, Pompano Beach: 4/20/24, 5/18/24, 6/15/24
- Urban League of Broward County, Fort Lauderdale: 4/13/24, 4/24/24, 5/8/24, 5/25/24, 6/8/24, 6/26/24

Housing Provider Rights and Responsibilities Presentations: Presentations designed for the specific needs of local housing providers.

- Future Homeowner & Current Homeowner Fair, Fort Lauderdale: 6/29/24

Community, Cultural, Health, and Job Fairs: Local community events to diversify outreach efforts, counseling members of the general public on their rights and responsibilities.

- Urban League of Broward County, Fort Lauderdale: 5/1/24



Charmaine Williams, HOPE's Education & Outreach Coordinator for Broward County, at the Future Homeowner & Current Homeowner Fair hosted by the Urban League of Broward County in partnership with The Mortgage Firm on June 29, 2024 in Fort Lauderdale, FL.

Miami-Dade Area Outreach

The following jurisdictions were impacted by Miami-Dade area outreach activities during the quarter: the Cities of Hialeah, Miami, Miami Beach, and North Miami, as well as other Miami-Dade locations.

Fair Housing and Predatory Lending Presentations (conducted in English, unless otherwise noted):

- Centro Campesino (English & Spanish), Florida City: 4/13/24, 4/27/24, 5/11/24, 5/25/24, 6/8/24, 6/22/24
- Commission on Disability Issues, Downtown Miami: 5/28/24
- Coral Way K-8, Shenandoah: 6/5/24
- Cuban American National Council (English & Spanish), Little Havana: 4/12/24, 4/17/24, 4/26/24, 5/9/24, 5/24/24, 5/29/24, 6/14/24, 6/28/24
- Experts Resource Community Center (English, Spanish, and Haitian Creole), Miami Gardens, West Little River, & North Miami: 4/13/24, 4/27/24, 5/9/24, 5/11/24, 5/25/24, 6/22/24
- Haitian American CDC, Little Haiti: 6/28/24
- Housing Foundation of America (English & Spanish), Miami Gardens & Palmetto Bay: 4/6/24, 4/20/24, 4/27/24, 5/18/24, 6/22/24, 6/29/24
- Miami Rescue Mission radio, Brownsville: 5/20/24
- Morton Service Center, Hialeah: 4/24/24

- Neighborhood Housing Services (English, Spanish, and Haitian Creole), Little Havana: 6/5/24
- Ten North Group, Opa-locka: 5/18/24, 6/22/24
- Real Estate, Education and Community Housing (English & Spanish), Kendall: 4/6/24, 4/20/24, 5/4/24, 5/18/24, 6/1/24, 6/15/24
- Repair the World - Miami, Civic Center: 5/1/24
- Trinity Empowerment (English & Spanish), Goulds: 4/20/24

Provider Presentations:

- Citrus Health Network, Hialeah: 5/24/24, 6/4/24
- Consortium for a Healthier Miami-Dade, Downtown Miami: 4/30/24

Community Fairs:

- Carol City High School, health fair, Carol City: 4/12/24
- Jackson High School, health fair, Allapattah: 4/23/24
- Johnson Youth Center, elder fair, Liberty City: 5/2/24
- Miami Dade Library Main Branch, job fair, Downtown Miami: 4/18/24
- Miami Dade College - West Campus, older persons resource fair, Doral: 5/29/24
- Morton Service Center, community tabling, Hialeah: 4/8/24, 4/22/24, 4/24/24
- Norland High School, health fair, Norland: 4/30/24



Join the fight against discrimination! Become a tester!

Please join us in this movement (and make some extra cash as well!) - become a civil rights investigator! Interested people should contact HOPE's Testing Coordinators. Training consists of a paid training session, and after training, available testers are contacted as needed. Each assignment pays \$65-\$100.

Call today! Miami-Dade: (305) 651-4673, Broward: (954) 742-3778.

Applicant must:

- Be 18 years of age or older
- Have no convictions of a misdemeanor involving truth, veracity or honesty or of any felony
- Have good observational and writing skills
- Be able to donate approximately 4 hours for each test
- Be punctual with reliable transportation

HOPE FORUM

Housing Opportunities Project for Excellence (HOPE), Inc.
 Bill Thompson Building
 11501 NW 2nd Avenue
 Miami, FL 33168
 Phone: 305-651-HOPE [4673]
 Fax: 305-759-2440
 TDD: 800-955-8771

NONPROFIT ORG.
 U.S. POSTAGE
PAID
 FT. LAUDERDALE,
 FL
 PERMIT NO. 32



This document is available in an accessible format for people with disabilities upon request.
 Please call Daniel Howe at (305) 651-4673.

Yes, I want to invest in the future of my community by becoming a member of HOPE!

Please fill out this membership application and mail with your TAX-DEDUCTIBLE contribution to:

HOPE
Attn: Membership
11501 NW 2nd Ave
Miami, FL 33168

NAME: _____

COMPANY: _____

ADDRESS: _____

CITY: _____ ST: _____ ZIP: _____

PHONE: _____ FAX: _____

EMAIL: _____

_____ Individual (\$35.00)

_____ Family (\$75.00)

_____ Friend (\$100.00)

_____ Non-Profit (\$250.00)

_____ Corporate (\$500.00)

_____ Good Neighbor (\$1,000.00)

_____ Sustaining Partner (\$10,000.00)

_____ Juniors For Justice (\$5.00) (13-18 years old)

_____ Pennies from Heaven (children 12 and under)

_____ I am unable to contribute but please send me *HOPE Forum*

There are laws against discrimination in the rental or sale of housing on the basis of:

- ◇ Race or Color
- ◇ National Origin
- ◇ Religion
- ◇ Marital Status
- ◇ Pregnancy
- ◇ Familial Status (as in whether you have children)
- ◇ Disability
- ◇ Sex (Gender)
- ◇ Veteran Status
- ◇ Age
- ◇ HIV Status
- ◇ Sexual Orientation
- ◇ Gender Identity
- ◇ Gender Expression
- ◇ Political Affiliation
- ◇ Source of Income
- ◇ Ancestry
- ◇ Being a victim of domestic violence or human trafficking

Do you suspect that you have been a victim of housing discrimination? Help is available; don't delay!

Call the HOPE DISCRIMINATION HELPLINE!
 Miami-Dade: 305-651-HOPE (4673) Broward: 954-567-0545
 TDD: 800-955-8771
 or file a complaint at www.hopefhc.com