HISTORY OF SEGREGATION IN HOUSING: A HISTORICAL VIEW OF LAWS, POLICIES, AND PRACTICES
HISTORY OF SEGREGATION IN HOUSING

I. HISTORICAL PERSPECTIVE

II. FEDERAL HOUSING POLICY/LAW

III. CIVIL RIGHTS LAW
HISTORY OF SEGREGATION IN HOUSING

I. HISTORICAL PERSPECTIVE: POST-CIVIL WAR
I. HISTORICAL PERSPECTIVE: POST-CIVIL WAR

BLACK CODES
- Passed in 1865 and 1866
- Modeled after "Slave Codes"
- Were an attempt to "reinstate" slavery.
- Restricted employment, voting, literacy.
I. HISTORICAL PERSPECTIVE: POST-CIVIL WAR

Convicts who violated the Black Codes
I. HISTORICAL PERSPECTIVE: POST-CIVIL WAR

JIM CROW LAWS

- Enforced racial segregation from 1890’s to 1965
- Maintained “separate but equal” in restrooms, restaurants, other public places
I. HISTORICAL PERSPECTIVE: POST-CIVIL WAR
I. HISTORICAL PERSPECTIVE: POST-CIVIL WAR

“IT SHALL BE UNLAWFUL for a negro and white person to play together or in company with each other in any game of cards or dice, dominoes or checkers.”

BIRMINGHAM, ALABAMA, 1930

“IT SHALL BE UNLAWFUL for any white prisoner to be handcuffed or otherwise chained or tied to a negro prisoner.”

ARKANSAS, 1903

“No colored barber shall serve as a barber to white women or girls.”

ATLANTA, GEORGIA, 1926
I. HISTORICAL PERSPECTIVE: EARLY 20\textsuperscript{TH} CENTURY
SUNDOWN TOWNS

- People of color had to leave city limits by sunset.
  - Whistle blew at 6 p.m.
  - Sheriff at county line to prevent non-whites from entering.
- Aimed at African-Americans, Hispanics, Chinese, Native Americans, Muslims, Jews.
I. HISTORICAL PERSPECTIVE: EARLY 20TH CENTURY
City Ordinances

- Established separate neighborhoods
- Prohibited African-Americans from moving into blocks where most residents were Caucasian.
- Such ordinances declared illegal by Buchanan v. Warley, 245 U.S. 60 (1917).
Racially Restrictive Covenants

- Provision in deed prevented sale of property to African-Americans.
- These were private agreements which “run with the land.”
I. HISTORICAL PERSPECTIVE: EARLY 20TH CENTURY

Sample restrictive covenant

“... hereafter no part of said property or any portion thereof shall be ... occupied by any person not of the Caucasian race, it being intended hereby to restrict the use of said property ... against occupancy as owners or tenants of any portion of said property for resident or other purposes by people of the Negro or Mongolian race.”
I. HISTORICAL PERSPECTIVE: EARLY 20TH CENTURY

Shelley v. Kraemer, 334 U.S. 1 (1948) declared courts could not enforce racial covenants in real estate.
National Association of Real Estate Boards
Code of Ethics

A realtor “should never be instrumental in introducing into a neighborhood a character of property or occupancy, members of any race or nationality, or any individuals whose presence will clearly be detrimental to property values in that neighborhood.”
Redlining:
Refusing mortgages in certain neighborhoods because of the race or ethnic composition of area.
Blockbusting

- Also known as panic selling
- Practice of persuading home sellers that people of a certain race, national origin, or religion are moving into their neighborhood and convince them to sell their home at low prices because of the anticipated decrease in property values. Then realtors sold the houses at inflated prices to families of color.
I. HISTORICAL PERSPECTIVE: EARLY 20TH CENTURY

Steering

- Practice of realtors guiding home buyers toward or away from certain neighborhood because of their race.
- Can also occur through failing to show or inform buyers of certain available home because of the basis of race.
I. HISTORICAL PERSPECTIVE: EARLY 20TH CENTURY
National Housing Act of 1934 (Capehart Act)

- Created Federal Housing Administration
- Incorporated “residential security maps” into Underwriting Handbook (redlining)
United States Housing Act of 1937 (Warner-Steagall Act)

- Created 160,000 units of public housing
- Goal: To revive housing industry.
- Built housing where slums were torn down.
- Housing was segregated by race.
Servicemen’s Readjustment Act, 1944 (GI Bill):
II. FEDERAL HOUSING POLICY/LAW

Servicemen’s Readjustment Act, 1944 (GI Bill):

- One section of the law provided guaranteed loans for U.S. soldiers to purchase first homes in suburbs.
- FHA and VA continued to use racially restrictive criteria when granting mortgages.
II. FEDERAL HOUSING POLICY/LAW
“Open Communities” Program

- Proposed by HUD Secretary George Romney during Nixon administration
- Proposed policies to focus on “metropolitan-wide solutions” for racial and economic integration.
- Blocked by Nixon.
II. FEDERAL HOUSING POLICY/LAW

Housing and Community Development Act of 1974:

Started Section 8 voucher program
Equal Credit Opportunity Act of 1974:

Prohibited discrimination in lending practices based on protected classes.
II. FEDERAL HOUSING POLICY/LAW

Home Mortgage Disclosure Act of 1975:
Requires financial institutions to annually disclose data regarding amount and location of housing involving federally related mortgages
Community Reinvestment Act of 1977:

- Encourages financial institutions to meet the credit needs of the communities in which they operate.
- Goal was to ensure provision of credit to all parts of a community, regardless of wealth or poverty of a neighborhood.
Civil Rights Act of 1866 (now 42 USC §1981)

All persons within the jurisdiction of the United States shall have the same right in every State and Territory to make and enforce contracts, to sue, be parties, give evidence, and to the full and equal benefit of all laws and proceedings for the security of persons and property as is enjoyed by white citizens, and shall be subject to like punishment, pains, penalties, taxes, licenses, and exactions of every kind, and to no other.
III. CIVIL RIGHTS LAW

III. CIVIL RIGHTS LAW
Civil Rights Act of 1968

Title VIII, Fair Housing Act
III. CIVIL RIGHTS LAW
III. CIVIL RIGHTS LAW

Iowa Civil Rights Act of 1965
Iowa Code Chapter 216