

Periodic Review for the United Nations Human Rights Council
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The John Marshall Law School Fair Housing Legal Clinic

I. Introduction

The John Marshall Law School Fair Housing Legal Clinic ("Clinic") was established in 1993. The Clinic provides legal representation to persons with complaints of housing discrimination in the rental or sales markets, the mortgage lending market, and the homeowners' insurance market. The Clinic also conducts testing of housing providers that are the subject of housing discrimination complaints and analyzes the results to determine if they support the allegations of discrimination. The Clinic files discrimination complaints in federal courts, state courts, HUD and local agencies for enforcement.

Since the passage of the Fair Housing Act, progress has been made in advancing fair housing and equal opportunity in the Chicago land area. However, the challenges of eradicating discrimination persist. There continues to be disparities in access to the rental market and homeownership in minority based communities. The current economic climate, the predatory lending rampage in the last few years, the foreclosure crisis, and the loss of rental units due to foreclosed properties has had a harmful effect on minority communities. As a result, we are dealing with an increase of homelessness locally and throughout the country. It is estimated that, in 2008 there were 1.6 million people living in shelters. Another reason for the increase of cases is the increased use of the internet to market and search for housing. As a result, discriminatory advertisements continue to increase. Internet discrimination cases based on familial status has increased from 2007 to 2008.

Historically, the majority of discrimination cases filed were race based. The majority of the race based discrimination cases have been against Hispanic and African American home seekers. For the first time in 2008 discrimination cases based on race were down. For the first time, cases based on handicapped / disabilities have surpassed race based cases.

II. Case Analysis:

The highest number of complaints filed was in 2008 with a total of 30,758 complaints. Fair housing organizations processed twice as many complaints as all government agencies combined. Private fair housing enforcement groups processed 66% of the complaints. HUD processed 6% of the complaints, state and local agencies processed 27% and DOJ filed less than 1% of the fair housing cases.

Housing Discrimination Complaints in the last four years:

Complaints	JMLS FH Clinic	Illinois Commission	HUD / Agencies	DOJ	Total Complaints
2006	*384/**23	711	10328 16613	31	27,706
2007	478/ 25	936	10154 15873	35	27,023
2008	450/38	853	10552 19282	33	30,758
2009	508/23	975	The report is due to come out in June 2010.	31	?

*This figure includes cases that were settled, tested and or investigated but no substantial evidence was found.

**Cases actually filed by the Clinic in court or in administrative proceedings.

The following chart breaks down the percentage of complaints files by protected class in 2008:

Year 2008				
Basis	JMLS Clinic	Illinois Commission	HUD	DOJ
Race	23%	42%	35%	39%
Disability	18%	34%	44%	36%
Family Status	10%	7%	13%	21%
National Origin	6%	12%	7%	6%
Sex	2%	5%	9%	9%
Religion	2%	4.5%	2%	6%
Color	1%	0	1%	n/a
Other*	36%	7.5%		n/a

DOJ: Department of Justice

HUD: Department of Housing & Urban development

Agencies: state or local commission and fair housing programs

The Clinic continues to represent persons who have been denied housing because of their race, familial status and or handicap. These are the top three categories of discrimination in the last ten years. Litigation and enforcement is one of the ways of preventing discrimination and providing people the opportunity to live in the community of their choice.