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Another Voice: Erie County should pass a law to prevent housing discrimination

By Roseann Scibilia and Scott Gehl

Poised on the verge of an economic renaissance decades overdue, the Buffalo-Niagara region needs to find a way to combat the legacy of housing discrimination, which has left us the sixth-most racially segregated metropolitan area in the nation.

In order to attract “the best and the brightest” to our region, in order to overcome the divisions that hamstringing economic development and consign people to communities of concentrated poverty, in order to combat the root causes of inequality in education, employment, cultural opportunities, public services and even public health, we must resolve to take action.

The Erie County Fair Housing Partnership has for 25 years sought to further fair housing. The partnership has begun discussions with members of the Erie County Legislature about the need for a county fair housing law. It makes sense to approach the issue on a metropolitan basis so that real estate professionals and investor owners with holdings in more than one community have a single countywide statute to follow. That is just what the partnership has done.

The partnership proposes to outlaw discrimination due to lawful source of income, which is involved in 44 percent of all reported incidents. Source of income discrimination – prohibited now in only Hamburg, West Seneca and Buffalo – is widely seen as a pretext for racial discrimination (prohibited by both state and federal law). In addition, the partnership’s proposal would help educate the community about fair housing by asking larger housing providers to use the equal opportunity logotype in marketing and to formulate marketing plans to appeal to a diverse public of prospective home buyers and renters.

Most significantly, the Fair Housing Partnership asks Erie County to urge its constituent municipalities to use a tool called “inclusionary zoning” to assure that future multifamily rental housing developments contain a small percentage of apartments affordable to families of moderate means. Because under New York law, zoning powers reside with city and town governments, this is a symbolic provision – but one that could start a conversation that we’ve yet to begin and help assure against the perils of gentrification.

For more than three decades, Buffalo, the towns of Hamburg, Amherst, Cheektowaga and Tonawanda, and the 34 municipalities of the Erie County Consortium have annually received tens of millions of dollars in federal assistance conditioned on their promise to “affirmatively further fair housing.” Passage of an Erie County Fair Housing Law, which includes provisions for inclusionary zoning, would go a long way toward fulfilling that promise.

Roseann Scibilia is past president of the Erie County Fair Housing Partnership. Scott Gehl is the executive director of Housing Opportunities Made Equal.