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FAH. STATE ADVISORY COMMITTEE TO THE U.S.
COMMISSION ON CIVIL RIGHTS.

DISCRIMINATION IN HOUSING IN UTAH.

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U. S. COMMISSION ON CIVIL RIGHTS

DISCRIMINATION IN HOUSING IN UTAH,

By the Utah State Advisory Committee
to the United States Commission on
Civil Rights

August 1966

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UNITED STATES COMMISSION ON CIVIL RIGHTS

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PREFACE

The United States Commission on Civil Rights

The United States Commission on Civil Rights is an independent agency of the Executive Branch of the Federal Government created by the Civil Rights Act of 1957. By the terms of that Act, as amended by the Civil Rights Acts of 1960 and 1964, the Commission is charged with the following duties: investigation of individual discriminatory denials of the right to vote; study of legal developments with respect to denials of the equal protection of the law; appraisal of the laws and policies of the United States with respect to denials of equal protection of the law; maintenance of a national clearinghouse for information respecting denials of the equal protection of the law; and investigation of patterns or practices of fraud or discrimination in the conduct of Federal elections. The Commission is also required to submit reports to the President and the Congress at such times as the Commission, the Congress, or the President shall deem desirable.

The State Advisory Committees

An Advisory Committee to the United States Commission on Civil Rights has been established in each of the 50 States and the District of Columbia pursuant to section 105 (c) of the Civil Rights Act of 1957 as amended. The Committees are made up of responsible persons who serve without compensation. Their functions under their mandate from the Commission are to: advise the Commission of all relevant information concerning their respective States on matters within the jurisdiction of the Commission; advise the Commission upon matters of mutual concern in the preparation of reports of the Commission to the President and the Congress; receive reports, suggestions, and recommendations from individuals, public and private organizations, and public officials upon matters pertinent to inquiries conducted by the State Committee; initiate and forward advice and recommendations to the Commission in matters in which the Commission shall request the assistance of the State Committee; and attend, as observers, any open hearing or conference which the Commission may hold within the State.

INTRODUCTION

During the past year the Utah State Advisory Committee to the United States Commission on Civil Rights concerned itself primarily with the problems of equal opportunity in housing in the State.

In 1961 the State Advisory Committee reported that Utah's Negro population was almost entirely concentrated in "ghettos or poor, overcrowded areas" in Salt Lake and Weber counties. In that report, the Committee found that Negroes paid more money on less favorable terms than whites for housing they purchased in predominantly white neighborhoods. At that time, also, real estate brokers and salesmen refrained from selling or renting to Negroes outside their traditional residential neighborhoods; virtually no apartments were available for rent to Negroes, and they paid higher rents than whites for comparable accommodations.

The Advisory Committee feels that little has changed since that 1961 Report. Five years later, the Negro finds he is still generally unwanted and unaccepted when he seeks housing.

More than 50 persons who alleged that they were discriminated against when they sought to purchase or rent housing appeared or presented information at meetings of the State Advisory Committee on October 23 and December 11, 1965 in Salt Lake City. During the course of its study, the Committee received statements from representatives of the real estate industry, a savings and loan association, military installations, from civil rights leaders, and other interested and informed individuals. Statements of individuals who did not wish to meet publicly with the Committee were entered into the record of the two meetings.

The State Advisory Committee, in the course of its preliminary investigation prior to the Salt Lake City meetings, met with the Utah Executive Committee on Civil Rights, a body appointed by Governor Calvin L. Rampton to investigate the status of civil rights in the State.

SUMMARY OF COMMITTEE MEETINGS

Negro participants at the Committee's meetings recounted instances, almost uniform in nature, which indicated that they had been rebuffed whenever they attempted to rent, buy, or finance a house or apartment in any area except traditionally Negro neighborhoods.

For example:

During three months of house hunting, a hospital employee whose husband works for an airline found that she was welcomed when she made a telephone inquiry but was refused accommodations when her racial identity became known. The couple--there are no minor children--had to settle on a house owned by a Negro in a minority-group populated neighborhood.

A school nurse, unable to find desirable housing in the area in which she worked, was promised rental of a specific house as soon as the remodeling was completed. Even though she made periodic checks on the progress of the remodeling, she was told finally that the house had been rented to someone else. Discouraged by the experience, she resigned her position and moved to another city.

A civil rights leader who moved to Salt Lake City from another part of the State drove more than 1,000 miles and looked at an estimated 50 properties before he decided upon a house which, he said, "I accepted in despair".

Statements by other Negro complainants revealed that on the infrequent occasions on which Negroes did manage to find housing in areas previously closer to them, they were usually required to make a higher down-payment on property

which was greater in cost for them than for a white person purchasing similar accommodations. There were complaints about harassment from whites. For example, a Negro who moved into a \$20,000 house in a new residential area was the victim of abusive telephone calls and had paint poured over his car.

Although the local real estate industry has abandoned its overt policy of refusing to sell or rent property to Negroes in white neighborhoods, statements made to the Advisory Committee by realtors indicated that the industry has made no positive efforts to encourage changes in the area's traditionally segregated housing patterns. Realtors who appeared at the meeting said they are instructed to respect a client's wish if he asks that his property be shown or sold on a racially restricted basis. They reported, also, that the Utah Association of the Board of Realtors was "violently opposed to any legislation on forced housing" and had been successful in its effort to defeat an open housing bill in the 1965 session of the Utah State Legislature.

However, individual members of the Board of Realtors and other property owners pointed out that even though they personally deplored the Association's opposition to open occupancy housing, they were forced to accede to it for fear of economic boycott or reprisal.

The Committee's investigations prior to the meetings had indicated that Negro military personnel experienced difficulty in finding suitable off-base housing although each of the four military installations represented at the October 23 meeting expressed confidence that they were dealing with the problem in a satisfactory manner.

A representative of Hill Air Force Base said that the facility requires a property owner to sign a statement stipulating that his property is on the general market on an unrestricted basis if the property is to be included on the installation's approved list of housing which is available for rent or sale. There is no attempt to check compliance with the agreement, the officer said. Representatives of other military installations reported isolated cases of off-base housing difficulties for minority group personnel, but declared that they had been resolved satisfactorily in each instance.

In an effort to ascertain the effectiveness of Executive Order 11063*, which requires non-discrimination in the sale and rental of Federal and federally assisted housing, including houses insured by the Federal Housing Administration, the Advisory Committee's Subcommittee on Housing telephoned 20 rental agents for recently constructed FHA financed apartments and asked them if they would consider a Negro applicant for the housing they had advertised in the newspaper. There were two positive responses, 10 negative answers, and eight equivocal replies to the inquiry. Some of the responses were prefaced with statements such as: "I wish I could", "I'm so sorry I can't", and "The neighbors wouldn't stand for it". The results of the telephone inquiry were sent to the director of the local FHA who notified the rental agents that they were in violation of Executive Order 11063. A second telephone survey by the Subcommittee produced

*Issued by President Kennedy in November 1962.

identical results and this information again was conveyed to the local FHA office. This time the director said he paid personal calls on each of the rental agents or owners.

A savings and loan company official, while claiming that his company was interested only in a loan applicant's financial security, admitted that the institution would be concerned if a property sale were to have what it considered an adverse effect on the immediate neighborhood. A University of Utah official told the Committee of the university's efforts to secure off-campus housing for students on a non-discriminatory basis.

CONCLUSIONS

On the basis of information gathered at the meetings and through Subcommittee investigations, the Utah State Advisory Committee to the United States Commission on Civil Rights concludes that:

1. There is evidence that Negroes in Utah are being denied equal opportunity to rent or purchase private housing.
2. Specific efforts should be made by public and private agencies throughout the State to eliminate racial discrimination in the sale and rental of housing.
3. Utah, because of its relatively small Negro population and the absence of complications inherent in heavily concentrated metropolitan areas, lends itself particularly well to the development of a meaningful program of equal opportunity in housing.
4. The Utah real estate industry, which is in a strategic position to aid in the development of an open housing market, has not used its influence to this end and, furthermore, it has actively opposed the passage of legislation designed to achieve this goal.

RECOMMENDATIONS

To eliminate racial discrimination in housing in the State of Utah, the State Advisory Committee recommends that:

1. The Utah State Legislature pass legislation forbidding discrimination in the sale and rental of housing on the basis of race, color, or national origin and vest enforcement authority in the Anti-Discrimination Division of the State Industrial Commission with adequate budget for an effective program.
2. Real estate brokers show, rent, and sell housing on a non-discriminatory basis.
3. The President's Committee on Equal Opportunity in Housing, the Federal Housing Administration, and the Veterans Administration take affirmative steps to vigorously enforce Executive Order 11063.
4. The Department of Defense review procedures used by community relations committees of military installations in the State and impress upon them the necessity of implementing the Department's affirmative policy regarding equal opportunity in housing for all personnel.
5. Congress pass legislation that will ensure equal opportunity in housing for all citizens.

AFFIRMATIVE RESULTS

During the process of making this study and preparing this report, the Committee has noted the following encouraging signs of progress in the area of equal opportunity in housing:

1. The University of Utah has adopted a policy requiring all approved off-campus housing to be available on a non-discriminatory basis.
2. A program to enforce Executive Order 11063 has been started by local officials of the Federal Housing Administration and the Veterans Administration.
3. The owners of some housing units financed by Federal Housing Administration loans have changed their discriminatory practices.
4. Individual members of the State Advisory Committee were able to help some Negro families arrange financing for the purchase of homes in formerly all-white neighborhoods.

WITNESSES

Witnesses who appeared at the October 23 meeting:

Miss Ellen Besse, Salt Lake City

Mr. Charles Contant, Chief Administrative Officer, Test Center,
Fort Douglas

Mr. Fred Chamberlain, Tocele Army Depot

Father Frederick T. Drager, St. Rose of Lima Catholic Church, Layton

Mr. Johnny Driver, President, Salt Lake City Branch, National
Association for the Advancement of Colored People

Major Leo Ellis, Executive Officer of the Garrison, Fort Douglas

Mr. Jack Fairclough, Defense Depot, Ogden

Mr. James Green, Salt Lake City

Mr. Steve Holbrook, Bountiful

Mr. Charles James, Representative, Civilian Personnel Office,
Dugway Proving Grounds

Mr. Dwight King, Salt Lake City

Mr. Billy Mason, Salt Lake City

Reverend William I. Monroe, Calvary Baptist Church, Salt Lake City

Lt. Col. Donald Morris, Judge Advocate's Office, Hill Air Force Base

Mrs. Betty Nichols, Salt Lake City

Reverend Palmer S. Ross, Trinity AME Church, Salt Lake City

Miss Alene Samuels, Salt Lake City

Mrs. Wilma Spinks, Layton

Mr. Tommie Tucker, Layton

Witnesses who appeared at the December 11 meeting:

Mr. Blair Bradshaw, representative of the Utah Savings and Loan Association

Mr. Gordon Christensen, President, Utah Apartment House Association

Mr. Adam M. Duncan, Chairman, Governor's Executive Committee on Civil Rights

Dean Martin Erickson, University of Utah

Reverend Palmer S. Ross, Trinity AME Church, Salt Lake City

Mr. Melvin Thayne, President, Salt Lake City Board of Realtors

Mr. B. A. Wright, Executive Vice President, Salt Lake City Board of Realtors

Mr. Wallace Woodbury, Legal Counsel, Salt Lake City Board of Realtors

