

# IN JUST TIMES

a publication of the

NATIONAL LAW CENTER  
ON HOMELESSNESS & POVERTY



*Changing Laws, Changing Lives*

July 2015

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Dear Friends,

On June 24-25, 2015, the [National Law Center on Homelessness & Poverty](#) (the “Law Center”), held its **National Forum on the Human Right to Housing** in Washington, D.C. The event was generously hosted by Microsoft at its [Innovation & Policy Center](#), and sponsored by the law firms of [Covington & Burling](#), [Fish & Richardson](#), and [Sidley Austin, LLP](#).



Maria Foscarinis  
Executive Director

**The Forum brought together an invited group of close to 90 attorneys, advocates, government representatives, and formerly homeless individuals, representing 70 organizations from around the country, to help shape a new campaign to fight against the criminalization of homelessness and for the human right to housing.** The opening day keynote speaker was Marc Uhry, from Paris, France, sponsored by the Embassy of France, who spoke about [his organization’s](#) successful fight for a right to housing.

The Forum was planned with the help and active engagement of [a committee of more than 30 organizations](#), and built upon a national summit on criminalization of homelessness hosted in April in Denver by the [National Coalition for the Homeless](#). **The Forum accomplished its primary goal of solidifying a growing consensus among participants that a campaign against criminalization and for the human right to housing is necessary, and helped to inform the next steps necessary for launching and implementing the campaign.** Work is anticipated at the local, state, and federal levels, with engagement of international human rights bodies as well.

The Law Center will be reaching out to and working with our partners to develop specific next steps to prepare the campaign for launch, planned for 2016. Meanwhile, we have drafted model policies to protect homeless people from discrimination and to promote the human right to housing in the U.S., at the local, state, and national levels.

We'll be sharing more information in the coming weeks and months. In the meantime, please send ideas to [righttohousing@nlchp.org](mailto:righttohousing@nlchp.org).

Thank you for your support!

## **Title V Hearing - Making Sure Solutions Are Being Heard**



On Tuesday, June 16, 2015, **Maria Foscarnis**, Executive Director of the Law Center, **testified before The U.S. House of Representatives' Subcommittee on Economic Development, Public Buildings, and Emergency Management.** The hearing, titled "[Saving Taxpayer Dollars in Federal Real Estate: Reducing the Federal Government's Space Footprint](#)," discussed reforming how the federal government disposes of its unused and under-utilized real property. [Read more here](#) about the hearing and our suggestions for how this could be a "win-win" for tax-payers and those experiencing homelessness.

## Supreme Court Decision Concerning the Fair Housing Act



[The National Law Center on Homelessness and Poverty](#) commends the Supreme Court's June 25<sup>th</sup> decision in [Texas Department of Housing and Community Affairs v. the Inclusive Communities Project, Inc.](#) According to Justice Kennedy's opinion, plaintiffs are still able to bring disparate claims under the Fair Housing Act. The Court ruled the plain meaning of the statute requires the *consequences* of an alleged discriminatory action be examined and not just whether there was explicit discriminatory *intent*.

Disparate impact is a powerful weapon to smoke out unconscious bias and illegitimate discrimination. In contrast to a discriminatory intent case, which requires a plaintiff to establish that a defendant had a discriminatory motive or intent, a disparate impact claim allows the plaintiff to challenge defendant's practices that have a disproportionately adverse effect on minorities. In the instant case, the [Inclusive Communities Project](#) alleged that the Department's practices contributed to continued segregated housing patterns by encouraging developers to build low-income housing, through tax credits, mostly in predominantly black inner-city areas and not enough in predominantly white suburban neighborhoods.

The Law Center signed on to an amicus brief in this case authored by the [ACLU](#), [National Consumer Law Center](#), and [Legal Momentum](#) regarding the context of domestic violence victims, where disparate impact provides a critical avenue of relief for many women suffering from housing discrimination. For example, facially neutral policies that subject every member of a household to eviction if any member of the household commits a crime. These policies disproportionately impact women, who are substantially more likely than men to suffer from domestic and sexual violence. Such policies discourage women to report

crimes committed against them, leaving them trapped in violent situations they cannot escape. Recognizing disparate impact claims under the [FHA](#) provides legal redress for women in similar circumstances.

## **The Law Center Has a New Attorney!**



***"I want to ensure that the interests of poor and homeless people are recognized and protected, especially those with more limited opportunities than I have had. We need to address the different forms of discrimination in our society by removing barriers and dismantling systemic forms of oppression through the lens of serving the needs of low-income, vulnerable, and underserved communities. We can end homelessness and poverty in the United States if we start addressing the causes and not just the symptoms of it."***

Michael Santos is an attorney at the Law Center whose work focuses on advocating for homeless youth's access to education through public education, impact litigation, and policy advocacy.

Prior to joining the Law Center, Michael Santos has had a long history of working on the rights of low-income and underrepresented communities through the Department of Health and Human Services and various non-profit organizations. Most recently, he was a fellow at the Clinton Foundation where he worked on an initiative to decrease the upward trend of childhood obesity in the United States.

Michael graduated from Brown University with a double concentration in Biomedical Engineering and Ethnic Studies. He received his JD from University of Southern California Gould School of Law.

**Thank you for joining our team Michael!**

## **Changing Laws. Changing Lives.**

The National Law Center on Homelessness & Poverty (the Law Center) is the only national organization dedicated solely to using the power of the law to end and prevent homelessness.

With the support of a large network of pro bono lawyers, we address the immediate and long-term needs of people who are homeless or at risk through outreach and training, advocacy, impact litigation, and public education.

[www.nlchp.org](http://www.nlchp.org)