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Executive Summary



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Executive Summary

Prepared for
U.S. Department of Housing and Urban Development
Office of Policy Development and Research

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June 2013

Acknowledgments

Many individuals contributed to this study. The work could not have been completed without the commitment and hard work of the primary research team members and various administrative and support staff. We thank the following members of the project team: Gregory M. Herek; Madeline Hoffman; Thomas Roth and David Paisley of Community Marketing; Robert Schwemm; Thomas Sexton; Gregory D. Squires; Bryan Tomlin; and Donald Kahl and John Baker of the Equal Rights Center, who also made contributions to the design of the project.

A panel of expert advisers made valuable contributions to the understanding of the housing issues faced by the lesbian, gay, bisexual, transgender community and of the e-mail testing

approach. We express special thanks to Gregory M. Herek, Jim McCarthy, Robert Schwemm, and Gregory D. Squires; as well as Lee Badgett, Roger Doughty, Kate Kendall, Jerry Malitz, Justin Nelson, Terry Stone, and Laura Young.

We also thank Jennifer A. Stoloff, the project's Government Technical Representative from the U.S. Department of Housing and Urban Development, Office of Policy Development and Research, for providing significant guidance and support at all stages.

We offer special thanks to Louisa Elfman of M. Davis and Company, Inc., for managing the packaging of the report.

Disclaimer

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Executive Summary

This is the first large-scale, paired-testing study to assess housing discrimination against same-sex couples in metropolitan rental markets via advertisements on the Internet. The research is based on 6,833 e-mail correspondence tests conducted in 50 metropolitan markets across the United States from June through October 2011. For each correspondence test, two e-mails were sent to the housing provider, each inquiring about the availability of the unit advertised on the Internet. The only difference between the two e-mails was the sexual orientation of the couple making the inquiry. Two sets of correspondence tests were conducted, one assessing the treatment of gay male couples relative to heterosexual couples and one assessing the treatment of lesbian couples relative to heterosexual couples. This methodology provides the first direct evidence of discriminatory treatment of same-sex couples compared with the treatment of heterosexual couples when searching for rental housing advertised on the Internet in the United States.

The study finds that same-sex couples experience less favorable treatment than heterosexual couples in the online rental housing market. The primary form of adverse treatment is that same-sex couples receive significantly fewer responses to e-mail inquiries about advertised units than heterosexual couples. Study results in jurisdictions *with* state-level protections against housing discrimination on the basis of sexual orientation unexpectedly show slightly more adverse treatment of same-sex couples than results in jurisdictions *without* such protections. This study provides an important initial observation of discrimination based on sexual orientation at the threshold stage of the rental transaction and is a point of departure for future research on housing discrimination against same-sex couples.

Background

Federal fair housing laws, seeking to ensure equal access to housing, prohibit housing discrimination based on race, color, religion, national origin, sex, familial status, and disability. The Fair Housing Act, however, does not include sexual orientation or gender identity as protected classes. Although individual states and localities increasingly include sexual orientation and gender identity as protected classes, the fair housing laws of most states do not provide legal protections for the lesbian, gay, bisexual, and transgender (LGBT) community.

Although various studies have gathered information on prejudice and stigma against the LGBT community, little empirical

research has examined housing discrimination based on sexual orientation. In community-based surveys conducted during the 1980s and 1990s with nonprobability samples, many lesbians and gay men reported that they had experienced some form of housing discrimination. In a statewide survey of lesbians and gay men by the Philadelphia Lesbian and Gay Task Force, between 9 and 16 percent of males (depending on race) and between 5 and 11 percent of females reported housing discrimination (Gross and Aurand, 1996). In a 2000 Kaiser Family Foundation survey, 11 percent of the lesbian, gay male, and bisexual respondents said they had personally experienced discrimination in renting an apartment or buying a home. Another 35 percent said they had not personally experienced such discrimination but knew someone who had (Kaiser Family Foundation, 2001). Using data from a nationally representative sample of lesbian, gay male, and bisexual adults, Herek (2009a) found that 3.8 percent of this population reports experiencing discrimination in the housing market at least once, with gay men experiencing the highest rate of housing discrimination (6.5 percent).

Data on perceptions can miss discriminatory actions that are unknown to prospective renters, however. Recently, three correspondence test studies examined potential adverse treatment of lesbian and gay male couples, relative to heterosexual couples: two in Sweden (Ahmed, Andersson, and Hammarstedt, 2008; Ahmed and Hammarstedt, 2009) and one in Canada (Lauster and Easterbrook, 2011). Ahmed and colleagues did not find evidence of adverse treatment against lesbians, but they did find significant differences between gay male couples and heterosexual couples, with gay male couples receiving fewer responses and invitations to contact the provider and inspect the unit. Regarding a “gross” measure of adverse treatment, Ahmed and Hammarstedt (2009) found that in 12.3 percent of the correspondence tests (not matched pairs), heterosexual couples were favored over gay male couples in getting an e-mail response; the net measure was 11.4 percent and was the only dimension of adverse treatment that was statistically significant. No disparities emerged in invitations to contact the provider or to a showing of the unit. Lauster and Easterbrook (2011) also found no disparity between lesbian and heterosexual couples but found that gay male couples are less likely than heterosexual couples to receive positive responses from housing providers. No correspondence tests, however, were previously conducted for these groups in the United States.

Objectives of the Research

The objective of this study is to develop the first national estimate of the level of housing discrimination based on sexual orientation; that is, discrimination against same-sex couples—men partnering with men and women partnering with women—at the initial stage of the rental housing transaction in the electronically advertised rental market. The study looks only at the issue of the sexual orientation of same-sex couples and not at other issues, such as gender identity.

The study has two unique features. First, it examines the experience and treatment of same-sex couples in their search for rental housing, a subject not previously observed on a national scale. Second, recognizing the increasing use of the Internet to search for housing, the study uses Internet advertising and matched-pair e-mails—the very threshold of the housing transaction—as the point of contact between the tester and the housing provider. The project also provides a novel, yet increasingly relevant, approach to a first look at barriers in the rental housing market for same-sex couples.

Hypotheses

Consistent with the findings of previous research outside the United States (for example, Ahmed, Andersson, and Hammarstedt, 2008; Ahmed and Hammarstedt, 2009; Lauster and Easterbrook, 2011), we expect that a disparity would exist in the response of housing providers to inquiries expressing interest in electronically advertised rental housing by heterosexual and same-sex couples. The main hypotheses for the study are that (1) same-sex couples will experience more adverse treatment than heterosexual couples, (2) gay male couples will experience a greater degree of adverse treatment than lesbian couples, and (3) same-sex couples will experience lower levels of adverse treatment in places with state-level housing discrimination laws inclusive of sexual orientation than in jurisdictions without such protections.

Methodology

The research adapts the well-established matched-pair testing methodology, which has been a hallmark of previous U.S. Department of Housing and Urban Development (HUD) housing discrimination studies (HDSs), for use in examining the electronically advertised rental housing market. A total of 6,833 matched-pair correspondence tests were completed via e-mail across 50 markets. Tests were divided between those examining discrimination against gay men (3,424 tests) and those examining discrimination against lesbians (3,409 tests), both relative to the treatment of heterosexual couples.

The primary objectives of the study were to obtain data that would produce (1) nationally representative estimates of various measures of housing discrimination against same-sex couples; (2) to the extent possible, estimates of these measures by whether a state had legislative protections against housing discrimination based on sexual orientation; and (3) to the extent possible, estimates of these measures by market size.

A total of 50 markets were randomly selected, proportional to population size (PPS), from among the 331 metropolitan statistical areas or primary metropolitan statistical areas, based on 2000 census definitions. The sampling elements were one-bedroom rental unit listings advertised on a national Internet listing site. This site was chosen as the universe from which to sample the electronic advertisements because the first contact between the prospective renter and the housing provider could always occur via e-mail; unlike other electronic search engines, the site does not require prospective renters to complete an online registration form asking for their phone numbers and current addresses; and because the format of the advertisements on the selected site and the nature of the contact between providers and prospective tenants is uniform throughout metropolitan areas in the country.

For a market to be included in the sample, it had to have complete coverage on the selected listing site throughout the metropolitan area being sampled. For example, for the Washington, D.C. market to be included in our sample, the range of advertised units had to be spread among different areas throughout the metropolitan area (for example, Fairfax County, Virginia; Prince George's County, Maryland; the District of Columbia; and so on). If the listing site did not completely cover a selected market, it was not included in the sampling frame, and another market was randomly selected using a PPS sampling approach. This procedure ensured a final sample of 50 markets with complete coverage.

Each correspondence test involved sending two e-mails to the housing provider, each inquiring about the availability of the electronically advertised unit. The only difference between the two e-mails was whether the couple was same sex or heterosexual. Unfavorable treatment was measured based on the housing provider's response to the e-mail, with the central focus being on whether each tester (1) received a response, (2) received more than one response, (3) was told the unit was available, (4) was told to contact the provider, and (5) was invited to inspect the unit.

Each correspondence test resulted in one of three potential outcomes: (1) the heterosexual couple is favored over the same-sex couple, (2) the same-sex couple is favored over the

heterosexual couple, or (3) both couples receive equivalent treatment (equally favored or disfavored). The most straightforward measure, the *gross measure*, is the percentage of tests in which the heterosexual couple is favored over the same-sex couple. Gross measures are considered upper bound estimates of discrimination. Differential treatment might occur for random reasons, as well as reasons that have nothing to do with actual discrimination. For example, the housing provider might simply have forgotten to reply to the same-sex couple, or perhaps the unit was truly already rented by the time the same-sex couple inquired about it. To produce lower bound estimates of discrimination, *net measures* are calculated, borrowing from the methodology of the 2000 Housing Discrimination Study (HDS2000). Net measures subtract the percentage of same-sex couples favored on a given outcome from the percentage of heterosexual couples favored. The true estimate of adverse treatment against same-sex couples probably lies between the upper and lower bound estimates.

This report presents results for the five key dimensions of treatment discussed previously and combines these dimensions to create a *composite measure* of treatment. In particular, the *consistency index*, adopted from HDS2000, reflects the extent to which one tester is consistently favored over the other in the treatment received from housing providers based on their inquiry e-mails. Tests are classified as “heterosexual favored” if the heterosexual couple received favorable treatment on at least one of the five dimensions and the same-sex couple (gay male or lesbian) received no favorable treatment. Tests are classified as “gay male or lesbian favored” if the same-sex couple received favorable treatment on at least one of the five dimensions and the heterosexual couple received no favorable treatment.

Findings

Same-sex couples are significantly less likely than heterosexual couples to get favorable responses to e-mail inquiries about

electronically advertised rental housing. Comparing our gross measures of discrimination, heterosexual couples were favored over gay male couples in 15.9 percent of tests and over lesbian couples in 15.6 percent of tests (Table E-1).

The net measures indicate that heterosexual couples are significantly more likely than their gay male and lesbian counterparts to receive an initial e-mail response (Table E-2). At this preliminary stage of the rental housing transaction, barriers indicate a rejection of the tester based solely on the sexual orientation information provided in the e-mail rather than on any characteristics related to qualification for the housing, thus preventing basic access to rental units.

Key Findings

- Same-sex couples experience discrimination in the online rental housing market, relative to heterosexual couples (Figure E-1).
- Adverse treatment is found primarily in the form of same-sex couples receiving fewer responses to the e-mail inquiry than heterosexual couples.
- Overall, results in states with legislative protections show slightly more adverse treatment for gay men and lesbians than results in states without protections.
- Adverse treatment of same-sex couples is present in all metropolitan areas, but no clearcut pattern exists in the magnitude of adverse treatment by metropolitan market size.
- Lower bound measures of discrimination (net measures) reveal similar results, although the magnitude of the difference in treatment between heterosexual and same-sex couples is less (that is, 2.2 percent for the gay male-heterosexual tests; 1.3 percent for the lesbian-heterosexual tests) than for the gross measures and is only statistically significant in the gay male-heterosexual tests.

Table E-1. Tests Favoring Heterosexual Couples (gross measures)

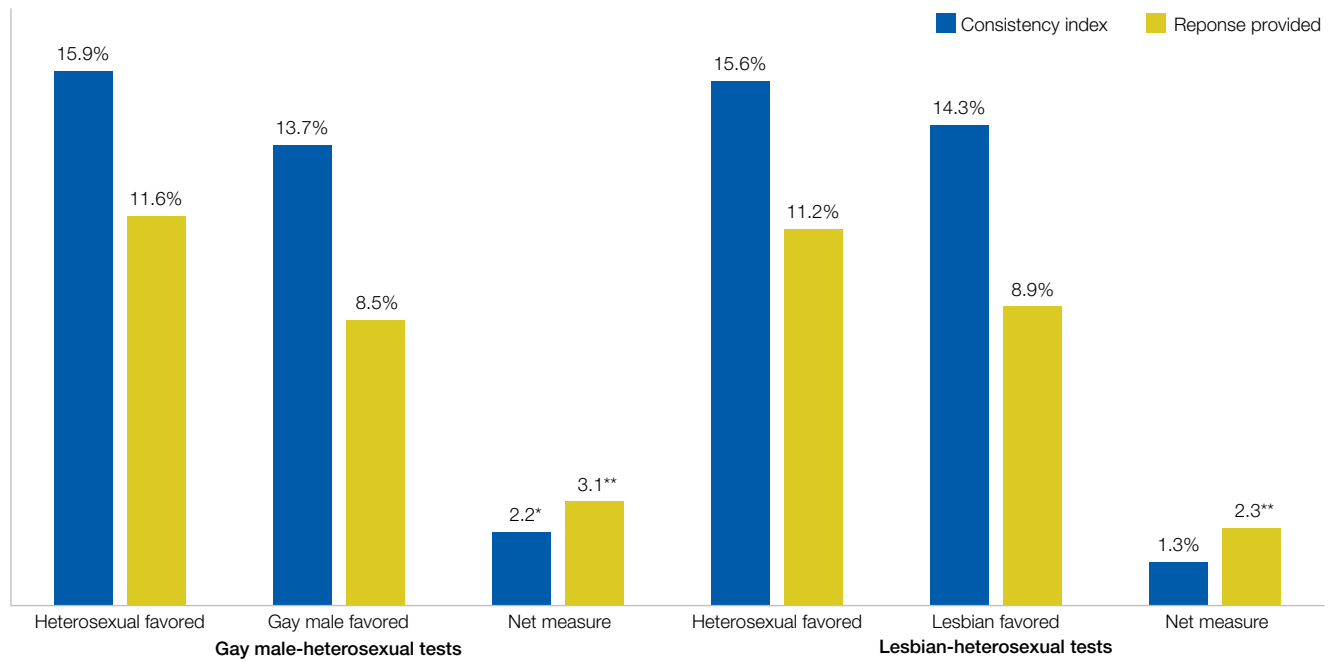
Gross Measures	Tests Favoring Heterosexual Couples Versus ...	
	Gay Male Couples (%)	Lesbian Couples (%)
Consistency index	15.9	15.6
Initial response provided	11.6	11.2

Table E-2. Tests Favoring Heterosexual Couples (net measures)

Net Measures	Tests Favoring Heterosexual Couples Versus ...	
	Gay Male Couples (%)	Lesbian Couples (%)
Consistency index	2.2*	1.3
Initial response provided	3.1**	2.3**

* p ≤ .05. ** p ≤ .01.

Figure E-1. National-Level Adverse Treatment Against Gay Male and Lesbian Couples, 2011



* Significant at the $p \leq .05$ level. **Significant at the $p \leq .01$ level.

Effect of Legislative Protections

In states *with* legislative protections against housing discrimination based on sexual orientation, heterosexual couples were consistently favored over gay male couples in 16.0 percent of tests and were favored over lesbian couples in 15.9 percent of tests. In states *without* such protections, however, heterosexual couples were favored over gay male and lesbian couples at rates that were 0.6 percentage points less than those in protected states (that is, 15.4 and 15.3 percent, respectively). Moreover, the net measure for gay male couples relative to heterosexual couples (3.1 percent) was statistically significant only in jurisdictions with state-level protections. Taken together, those results are surprising in that states with legislative protections prohibiting housing discrimination on the basis of sexual orientation do not show lower levels of adverse treatment. Several factors could account for this unexpected finding, including potentially low levels of enforcement, housing provider unfamiliarity with state-level protections, or the possibility that protections exist in states with the greatest need for them.

Effect of Metropolitan Market Size

When disaggregated by the size of metropolitan areas, the results of the paired tests continue to reveal that heterosexual couples were consistently favored over gay male and lesbian couples, although variation exists in the magnitude of the differences in

treatment. These differences exhibit no clearcut pattern by metropolitan market size, however. The net measure is statistically significant only in gauging the treatment of gay male couples relative to heterosexual couples in the largest metropolitan areas.

Conclusions and Implications

The findings presented in this report provide evidence that discrimination exists against same-sex couples in the initial stages of the search for electronically advertised rental housing in metropolitan America. The study measured the response of housing providers regarding the sexual orientation of couples and did not examine other characteristics, such as gender identity. The adverse treatment of same-sex couples stems largely from the fact that housing providers are less likely to respond to same-sex couples than to heterosexual couples.

This study employed paired e-mail correspondence tests rather than in-person, paired tests, and it allowed for only one e-mail interaction with each housing provider. Because the observations are at the very threshold of the rental transaction, the estimates of discrimination presented here likely underestimate the extent to which heterosexual couples are favored over same-sex couples in the rental housing market. Nevertheless, the incidence of consistently favored treatment of heterosexual couples relative to gay male and lesbian couples (that is, 15.9 and 15.6 percent, respectively) is similar in magnitude to the incidence of

consistently favored treatment of White homeseekers relative to Black and Hispanic homeseekers (that is, 21.6 and 25.7 percent, respectively) found using in-person audits in HDS2000.

This study serves as the initial step toward future research on same-sex housing discrimination. Although its use of paired testing and its national scope are strengths, the study design is limited to e-mail tests of rental housing in metropolitan markets advertised by one source on the Internet. Moreover, the study captures the treatment of test e-mail inquiries by housing providers in response to only one e-mail sent by each tester, and it therefore does not consider what could happen to testers through additional contact (via additional followup e-mails, phone, or in-person communication). Thus, the testing conducted in this study is representative of the initial stage of the housing search by prospective renters in the metropolitan rental housing market.

The contribution of this study is to demonstrate that same-sex couples are less likely than heterosexual couples to gain access to the targeted rental unit. When same-sex couples do receive a response, however, the treatment by housing providers is, for the most part, equal—at least for a single e-mail interaction. This type of discrimination diverges somewhat from that which has been found between Whites and non-White minorities (Friedman, Squires, and Galvan, 2010). In large part, the disparity between Whites and non-White minorities in the initial access to housing units (that is, getting a response from providers) is less than the disparity observed in additional contact with providers (for example, getting more than one response or the potential to inspect the unit).

This first set of national findings on the discrimination against same-sex couples in the metropolitan rental housing market should serve as a point of departure for future research on same-sex housing discrimination. In-person testing would provide valuable, additional information on the experiences of same-sex couples in the rental market, and it would replicate the approach of other HDS research and track the real-life sequence of a rental housing search. A broader sample of advertised rental units, including other electronic media and print advertisements, could be used for in-person testing.

Future studies could employ e-mail or in-person audits to further examine differences in treatment between same-sex and heterosexual couples in states with and without legislative protections for sexual orientation or gender identity. Local jurisdictions' protections were not within the scope of this study, and examining the effect of such local protections on differential treatment could be very useful. In addition, this study looked at treatment based only on the sexual orientation of same-sex couples and not on gender identity or gender expression. This study does not explicitly capture treatment of transgender people or people who do not conform to stereotypical gender norms because it used the e-mail testing approach. Finally, future research could seek to obtain metropolitan-specific estimates of discrimination against same-sex couples. Perhaps this approach could shed light on the mixed findings of rental housing discrimination revealed across metropolitan areas in this study.

U.S. Department of Housing and Urban Development
Office of Policy Development and Research
Washington, DC 20410-6000



June 2013