

DISCRIMINATION

AGAINST PERSONS WITH DISABILITIES **Barriers at Every Step**

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1. INTRODUCTION AND SUMMARY

Not enough is known about the prevalence of housing discrimination against persons with disabilities. Only slightly more than half of Americans know that it is illegal for landlords to refuse to make reasonable accommodation for persons with disabilities or to permit reasonable modification to a housing unit.¹ And although HUD data indicate that the volume of Fair Housing Act disability-related complaints is now comparable to complaints based on race, no rigorous estimates of housing discrimination against persons with disabilities are available.² A few organizations have conducted tests for discrimination against persons with disabilities, but these testing efforts were not designed to provide statistically valid measures of the incidence and forms of discrimination market-wide.³

Study Purpose and Scope

The U.S. Department of Housing and Urban Development (HUD) contracted with the Urban Institute to advance the state-of-the-art in testing to measure discrimination against persons with disabilities, for both research and enforcement purposes. Because the population of persons with disabilities is diverse and the challenges for effectively measuring discrimination are substantial, this research effort was conducted in two phases. The first phase was exploratory; the Urban Institute developed and implemented a wide variety of testing approaches, targeted to different groups of persons with disabilities and different forms of housing market discrimination (other than discrimination through a failure to design and construct accessible housing, which is not encompassed in the scope of this study).⁴ This phase did not produce statistically representative measures of discrimination for any group, but

¹ M. Abravanel and M. Cunningham (2002). *How Much Do We Know: Public Awareness of the Nation's Fair Housing Laws*. Washington, D.C.: U.S. Department of Housing and Urban Development.

² See National Council on Disability (November 6, 2001). *Reconstructing Fair Housing*.

³ Organizations that have conducted disability-related testing include Fair Housing Contact Service, Akron, Ohio; HOPE Fair Housing Center, Wheaton, Illinois; Metro Milwaukee Fair Housing Council, Milwaukee, Wisconsin; Housing Opportunities Made Equal, Richmond, Virginia; Austin Tenant's Council, Austin, Texas; Toledo Fair Housing Center, Toledo, Ohio; North Dakota Fair Housing Council, Bismarck, North Dakota; Protection and Advocacy, Inc, Albuquerque, New Mexico; Family Housing Advisory Services, Omaha, Nebraska; Access Living, Chicago, Illinois; Metro Fair Housing Services, Atlanta, Georgia; Project Sentinel, Palo Alto, California; Inland Fair Housing, Ontario, California; Housing Rights Center, Los Angeles, California; Fair Housing of Marin, San Rafael, California; Southern Arizona Fair Housing Center, Tucson, Arizona; Arkansas Fair Housing Council, Arkadelphia, Arkansas; Fair Housing Council of Southwest Michigan, Kalamazoo, Michigan; South Suburban Fair Housing Council, Philadelphia, Pennsylvania.

⁴ Exploratory testing was conducted during the spring and summer of 2003 in two metropolitan areas – Albuquerque, New Mexico and Chicago, Illinois.

it did yield important lessons about what works and what does not, and how conventional testing methods can be adapted to effectively capture the kinds of discrimination that persons with disabilities experience when they search for rental housing.

Based upon lessons from the exploratory phase, the second—pilot—phase was designed to produce rigorous, statistically representative estimates of the incidence of discrimination against selected groups of persons with disabilities in a single metropolitan rental market – Chicago, Illinois. Specifically, this phase focused on the treatment of deaf people who use the TTY system⁵ to inquire about advertised rental housing, and on the treatment of persons in wheelchairs who visit rental properties in person to inquire about available units.⁶

Summary of Findings

Both groups of persons with disabilities who were studied in the pilot phase of this project encounter significant levels of adverse treatment when they search for rental housing in the Chicago area, compared to comparable nondisabled homeseekers. In fact, adverse treatment against persons with disabilities occurs even more often than adverse treatment of African American or Hispanic renters in the Chicago-area housing market.

People who are deaf and use the TTY system to inquire about advertised rental units in the Chicago Metropolitan Area are refused service in one out of four calls. Even when housing

I arrived at the property at 11:15. I was looking for the 701 buzzer to ring as I had been instructed in my appointment call. A woman who I assume I spoke to yesterday to make an appointment opened the doorway halfway. She asked me if I was the one who had an appointment. I told her yes. She very abruptly stated, "No wheelchairs here. You can't come in!" I attempted to ask if there was another entrance that I could use to enter the building. She muttered "you should have said something on the phone." She asked twice, "Can you walk?" I told her no. She repeated, "No wheelchairs here, no way in!" She said, "Apartment's too small." I looked at her dumbfounded and replied, "OK!"

Later that day, the nondisabled tester visited the same property. She was buzzed into the lobby of the building, which had an elevator, shown three available apartments, and provided information about rents, security deposits, and fees.

⁵ Note that other people with hearing and communication disabilities may also rely on the TTY system, and that findings from this analysis would apply to them as well.

⁶ The pilot phase testing was designed to measure the extent to which persons with disabilities experience adverse treatment when they search for housing in the Chicago area. The question of when differential treatment warrants prosecution and the related question of whether sufficient evidence is available to prevail in court can only be resolved on a case-by-case basis, which might also consider other indicators of treatment than those reported here. The tests used for this study were conducted for research purposes, not enforcement purposes.

providers accept their calls, the TTY users receive significantly less information about the application process and fewer opportunities for follow-up contact than comparable hearing customers making telephone inquiries.

People using wheelchairs who visit rental properties in the Chicago area⁷ to inquire about advertised units are just as likely as nondisabled customers to meet with a housing provider. However, wheelchair users learn about fewer available units than nondisabled customers in more than one of every four visits and are denied the opportunity to inspect any units in three of ten visits. Wheelchair users also receive less information about the application process. On the other hand, they appear to be quoted lower fees than comparable nondisabled customers.

In addition, persons with disabilities are frequently denied their requests for reasonable modification and reasonable accommodation⁸ needed to make the available housing fully accessible to them. Almost one of every six housing providers who indicated that units were available refused to allow reasonable unit modifications needed by wheelchair users. And 19 percent of those with on-site parking refused to make the reasonable accommodation of providing a designated accessible parking space for a wheelchair user.

Discrimination is not the only obstacle that people with mobility impairments face in searching for rental housing. In the Chicago area, at least a third of advertised rental properties are simply not accessible for wheelchair users to even visit.⁹ This study found that paired testing is a feasible and effective tool for detecting and measuring discrimination by rental housing providers against persons with disabilities. It can be used to capture *both* differential treatment discrimination *and* refusal to make reasonable accommodation or permit reasonable

⁷ Wheelchair tests were conducted in the City of Chicago and surrounding Cook County.

⁸ A reasonable modification, 42 U.S.C. § 3604(f)(3)(A), is a structural change made to the premises, while a reasonable accommodation, 42 U.S.C. § 3604(f)(3)(B), is a change, exception, or adjustment to a rule, policy, practice, or service. Both a reasonable modification and a reasonable accommodation may be necessary for a person with a disability to have an equal opportunity to use and enjoy a dwelling, including public and common use spaces. A request for a reasonable modification or reasonable accommodation may be made at any time during a tenancy. The Act makes it unlawful for a housing provider or homeowners' association to refuse to allow a reasonable modification or reasonable accommodation when such a modification or accommodation may be necessary to afford persons with disabilities full enjoyment of the premises. To show that a requested modification may be necessary, there must be an identifiable relationship between the requested modification or accommodation and the individual's disability. Further, the modification or accommodation must be "reasonable."

⁹ This study did not determine how many of these properties were covered by the design and construction requirements of the Fair Housing Act.

modification, and the paired testing methodology can be adapted for a wide variety of disabilities and housing circumstances.¹⁰

Persons with disabilities are effective testers. It is not necessary to have nondisabled testers pose as people with disabilities or as their proxies. Some testers with disabilities may require accommodation, including assistance in traveling to test sites or completing test reporting forms. In some cases, these accommodations can increase the costs of completing paired tests.

Organization of the Report

The remainder of this report begins by describing the project's exploratory phase, and then focuses on findings from the pilot phase.

Exploratory Phase. Chapter 2 describes the ten testing scenarios implemented in the exploratory phase, and briefly outlines key lessons from each, including challenges involved in targeting research tests to housing developed with Low-Income Housing Tax Credits and senior housing.

Pilot Phase. Chapter 3 describes the two testing scenarios implemented in the pilot phase of this research effort, as well as methods for sampling and analysis. Chapters 4 and 5 present findings from the project's pilot phase, focusing first on discrimination against renters who are deaf attempting to use TTY services to inquire about available homes and apartments, and then on discrimination against renters who use wheelchairs when they visit rental properties in person.

Chapter 6 provides a summary of findings from both phases of this research effort and their implications for both ongoing research and policy. Annex A provides a list of expert advisers to the Disability Discrimination Study; Annex B provides the forms used to authorize tests and make advance calls; and Annexes C and D provide all test reporting forms for telephone and in-person testing, respectively.

¹⁰ Of course, paired testing may not be well-suited for detecting and measuring all forms of discriminatory treatment that may occur in a housing transaction, or all types of disabilities.

2. LESSONS FROM THE EXPLORATORY TESTING PHASE

Testing for discrimination against persons with disabilities is particularly challenging because different types of disabilities call for different testing strategies and because of the potential importance of capturing not only differential treatment but also denial of reasonable accommodation or reasonable modification. In the first phase of this study, the Urban Institute explored the feasibility and effectiveness of multiple testing strategies targeted to different categories of persons with disabilities and focusing on different aspects of housing discrimination.

To help guide the development and design of these exploratory strategies, the Urban Institute convened a distinguished panel of expert advisors (see Annex A for a list of expert panel members). The panel met in Washington, D.C. for a day and a half at the outset of the project to discuss the challenges involved in testing for discrimination against persons with disabilities and to offer advice about possible testing strategies, what types of testing could be most effective, and how products from this study could be most useful to advocates and practitioners.

This chapter summarizes the protocols that were implemented in the exploratory phase, and discusses lessons learned about feasibility and challenges from a research perspective. These protocols and their lessons for enforcement testing are discussed in greater detail in the forthcoming guidebook of enforcement tools.

Testing for Discrimination Against Persons with Mental Disabilities

During the first phase of this project, we implemented three testing scenarios for measuring discrimination against persons with mental disabilities. Two of these scenarios involved testers with mental illness or cognitive disabilities, while one relied upon nondisabled testers calling on behalf of homeseekers with disabilities.¹¹ Some members of the expert advisory panel argued strongly against using nondisabled persons as proxies for persons with disabilities in any testing, on the principle that persons with disabilities are capable of participating effectively in research about the circumstances they face. Other members raised concerns, however, about the feasibility of recruiting sufficient numbers of testers with discernible developmental disabilities who could nonetheless pose effectively as homeseekers, and about the potentially damaging emotional impact that testing might have on persons with mental disabilities. Therefore, we used the exploratory phase of this project to experiment with

¹¹ A cognitive or developmental disability is indicated by below average intellectual functioning, combined with deficits in dealing with one or more activities of daily living. Mental illness is a psychiatric disorder that results in a disruption of a person's thinking, feelings, moods or ability to relate to others.

both approaches to testing for discrimination against persons with mental illness or developmental or cognitive disabilities.

Scenario: In-Person Testing with Persons with Mental Illness. The first scenario focused on differential treatment of individuals with mental illness seeking rental housing in the private market. One of the central challenges for this testing was how a tester would disclose the fact of his or her mental illness relatively early but in a credible way. The expert advisors generally agreed that most persons with mental illness would not disclose the fact, but that a scenario involving no recent rental history would provide a credible reason to do so. Therefore, in each of these tests, the tester with a disability visited a rental office in person, indicating that he or she had a mental illness, had just been released from a treatment facility, and therefore had no rental history or current landlord references. The nondisabled partner also indicated a lack of rental history for some credible reason, such as having just graduated from college or having been living abroad.

Four tests of this type were completed. Our experience with these tests indicates that it is indeed feasible to conduct in-person testing for discrimination against mentally ill homeseekers, and that persons with mental illness can serve effectively as testers. However, it is challenging to recruit mentally ill testers who can handle the assignment, and some mentally ill testers may need extra support and assistance, including assistance during the test. Specifically, in some of the exploratory tests, the mentally ill tester was accompanied by an individual who posed as a friend and helped the tester remember basic information about his housing needs and questions to ask the rental agent. This approach proved to be credible and effective, but it significantly raises the cost of testing, and might not always be feasible for testing conducted for enforcement purposes.¹² Moreover, our experience indicates that testers with mental illness may be more effective testers if they conduct tests relatively infrequently, allowing them to recover from the stress associated with each test visit.¹³ Therefore, in order to conduct a large number of tests for

When a tester with a mental illness told the housing provider that he did not have a rental history, he was told that he would be required to get a letter from the group home where he currently resides stating that they would be responsible for paying the rent if the tester failed to do so. The nondisabled tester, who also presented himself as not having a rental history, was not told about such a requirement. (Test #0515)

¹² This study shows that persons with disabilities are effective testers for testing that is designed for research (or measurement) purposes. When testing is intended for enforcement purposes, careful consideration should be given to whether a disabled or nondisabled tester will be able to reliably and credibly recall the test, sometimes years later, in an enforcement proceeding; withstand the scrutiny of litigation, including cross-examination in depositions and at trial; and whether the experience might undermine the tester's emotional and physical health.

¹³ Not all persons with mental illness will necessarily experience difficulty or stress serving as testers.

research purposes, it would probably be necessary to extend the testing over a relatively long period, unless a very large pool of testers could be recruited.

Scenario: In-Person Testing with Persons with Developmental or Cognitive Disabilities. The next scenario was similar to the first, but focused on differential treatment of individuals with developmental or cognitive disabilities. Again, the tester with a disability visited a rental office in person, indicating that he or she had been living in a group home and was looking to live on his or her own for the first time.¹⁴ The nondisabled tester would also indicate that he or she was looking for an apartment for the first time. Because of concerns about the ability of persons with developmental disabilities to complete test reporting forms, both testers were accompanied by a nondisabled person posing as a friend. This person did not ask or answer any questions of the rental agent, but was available to help the tester remember key questions to ask of the agent.

Five tests of this type were conducted in the exploratory phase. Like the tests involving persons with mental illness, these tests confirm the feasibility of using the paired testing methodology to detect discrimination against homeseekers with cognitive disabilities, and the capability of disabled persons to act as testers on their own behalf. As anticipated, we found that testers with cognitive disabilities needed some assistance during the test in order to remember what they needed to ask of the rental agent. This approach proved to be credible to housing providers, and enabled persons with cognitive disabilities to be effective testers, but, as discussed earlier, it substantially raises the cost of testing, and might not always be feasible for testing for enforcement purposes.¹⁵ In order to conduct enough tests of this type to yield rigorous statistical estimates, it would probably be necessary to extend the testing over a fairly long period, in order to give testers with disabilities ample time and flexibility.

Although both testers had appointments to meet with the housing provider, the nondisabled tester was assisted immediately upon arrival to the office; the disabled tester waited 40 minutes before someone assisted her. (Test #0816)

¹⁴ In these tests, the individuals selected as testers were identifiable (based on appearance and speech) as cognitively disabled.

¹⁵ This study shows that persons with disabilities are effective testers for testing that is designed for research (or measurement) purposes. When testing is intended for enforcement purposes, careful consideration should be given to whether a disabled or nondisabled tester will be able to reliably and credibly recall the test, sometimes years later, in an enforcement proceeding; withstand the scrutiny of litigation, including cross-examination in depositions and at trial; and whether the experience might undermine the tester's emotional and physical health.

Scenario: Telephone Testing Using Proxies for Persons with Developmental or Cognitive Disabilities. The third scenario for measuring discrimination against persons with mental disabilities also focused on differential treatment of homeseekers with developmental or cognitive disabilities. However, these tests were conducted by telephone instead of in person, and involved the use of nondisabled proxies representing disabled homeseekers. Specifically, a nondisabled person posing as the case-worker for a developmentally or cognitively disabled person would telephone a rental housing provider to inquire about housing availability for his or her client. In these tests, the nondisabled homeseeker was also represented by a family member calling on his or her behalf. For example, the caller might say “my brother will be moving here in a month, and I’m checking out possible apartments for him.”

Five tests of this type were completed during the exploratory phase. These tests proved to be quite simple and inexpensive to conduct, and were credible to housing providers. This approach represents a feasible strategy for addressing some of the challenges of working with testers who have mental disabilities. However, it loses some of the narrative power of conventional paired testing, and because it does not rely upon persons with disabilities to act as testers on their own behalf, it may be objectionable to some advocacy organizations.¹⁶

In 2 out of 5 tests, the proxy for the disabled person was told about fewer units than the proxy for the nondisabled person. In an additional test, the proxy for the disabled person was quoted a higher rent than the proxy for the nondisabled person. (Test #s 0616, 0722, 0706)

Testing for Discrimination Against Persons Who are Deaf or Hard of Hearing

The exploratory phase of this project implemented two testing scenarios that focused on discrimination against homeseekers who were deaf or hard of hearing.

Scenario: Telephone Testing with Persons Using TTY Services. The first scenario focused on differential treatment against persons who rely on TTY telephone services. Specifically, the deaf tester used a TTY telephone with a relay operator to call a rental agent to inquire about available units. The nondisabled tester made a comparable inquiry by telephone.

Seven tests of this type were completed in the exploratory phase, indicating that this approach is feasible and credible. Tests can be completed quite quickly and cost-effectively, and can span a very wide geographic area because they do not require testers to travel around the metropolitan area to meet with housing providers in person. Moreover, TTY systems

¹⁶ See the forthcoming *Guidance for Practitioners on Testing for Disability Discrimination in Housing* for a further discussion of the challenges involved in working with persons with developmental disabilities as testers.

provide the deaf testers with a verbatim report on each telephone call, providing an independent narrative of what occurred. Finally, the exploratory testing indicated that some rental agents were uncomfortable with the TTY calling process or even unwilling to accept these calls, suggesting that this approach to testing may disclose very substantial barriers to housing search for individuals who are deaf or hard of hearing.¹⁷

When a deaf tester called the housing provider using the TTY service, the call was answered by an answering machine. The relay operator left a message for the tester saying that he was interested in a two-bedroom apartment and asking the housing provider to call the tester back. The tester then asked the relay operator to call a second number that was listed in the advertisement. This time, the call was answered by a man. The tester typed, "good morning, my name is _____ and I am interested in the two-bedroom apartment. Is it available?" As he was typing this message, the relay operator was explaining to the housing provider that the call was being placed by a deaf person using a relay service. The housing provider then hung up. Because the relay operator wasn't sure if the housing provider had truly hung up or if the service had been disconnected, the tester asked her to call again and to explain that he is deaf and that he is calling about the apartment for rent. As the relay operator was typing this message to the housing provider, the housing provider said, "Hey, stop calling me, son of a bitch, will you?" and hung up again. (Test #1004)

Scenario: In-Person Testing with Deaf Persons. The next testing scenario was designed to capture both differential treatment against homeseekers who were deaf or hard of hearing and refusal to make reasonable accommodation. A deaf tester who also had difficulty speaking understandably would visit a rental office in person to inquire about available housing. He or she used notes to communicate with the landlord or rental agent. Following the standard rental housing inquiries, the deaf tester asked whether the landlord would install flashing lights for the doorbell and alarm bells. If the landlord indicated that this accommodation would not be provided, the tester asked if he or she could pay for the installation of the flashing lights.¹⁸ The nondisabled tester also visited in person, simply making the standard rental housing inquiries.

Six tests of this protocol were completed. We found this approach to be feasible and credible, providing an effective strategy for capturing both differential treatment of disabled

¹⁷ It is important to note that, while some housing providers were unwilling to accept TTY calls, many others providers did provide full service to TTY users, indicating that the system is not excessively time consuming or burdensome.

¹⁸ Courts have not definitively established whether the installation of flashing lights for doorbells and alarms should be classified as an accommodation (which the housing provider is required to provide) or a modification (which the housing provider must allow the tenant to provide). Therefore, on the advice of the expert advisors, our protocols call for the tester to ask first for the landlord to provide this service and then (if refused) to request permission to pay for it himself.

homeseekers and refusal to make a reasonable accommodation. However, deaf testers had difficulty gaining access to buildings with intercom systems. In addition, the note-writing process proved to be time consuming and awkward, both for housing providers and testers. Some testers had difficulty writing legible and understandable notes. An alternative approach that was not implemented in the exploratory phase, would be to send testers who are deaf or hard of hearing to meet with housing providers accompanied by a sign

The nondisabled tester was told that there were 10 two-bedroom and 15 one-bedroom units available. She was taken to see three different models—a two-bedroom, a one-bedroom, and a studio apartment. Even though she asked, the disabled tester was not told specifically how many units were available and was shown only one of the model units. When she asked if there was anything else available, she was told that this was the only model they had to show her. (Test #1005)

language interpreter. Although this would raise the cost of testing, it would eliminate differences in treatment that might be attributable to poor penmanship or the time-consuming nature of the note-writing process.¹⁹ Adding a sign language interpreter might add some additional complexities to a test, however, that need further exploration.

Testing for Discrimination Against Persons Who are Blind or Visually Impaired

Two in-person testing scenarios were implemented in the exploratory phase to capture discrimination against homeseekers who are blind or visually impaired.

Scenario: In-Person Testing with Blind Persons Using Guide Dogs. The first scenario focused on differential treatment and refusal to make reasonable accommodation for persons using assistance animals. A tester who was blind and accompanied by a guide dog visited a rental office in person to inquire about available housing. If a unit was available, the tester requested an accommodation—waiver of the “no pets” policy or of any special fees or restrictions on the presence of the dog. When rental agents were unsure or ambiguous about policies regarding service animals, testers made repeated call-backs until they received a definitive answer regarding this accommodation. The nondisabled tester also visited in person, making the standard rental housing inquiries, without any mention of a pet.

Eight tests were conducted using this protocol. This experience indicated that the approach is clearly feasible, and that it can effectively capture both differential treatment on the basis of disability and refusal to make a reasonable accommodation. However, this approach definitely requires follow-up inquiries to obtain a definitive answer about limitations or fees associated with the companion animal. Testers quite frequently received an uncertain or ambiguous response during their initial visits, and had to make repeated calls to get a final

¹⁹ One advantage of the note-writing approach, however, is that it may generate a written record of discriminatory comments.

answer. In addition, testers sometimes had difficulty finding the front door, using intercom or buzzer systems, and gaining access to rental properties or management offices; as a consequence they sometimes had to seek assistance from bystanders. Therefore, it might make sense to send testers to their assignments with someone who would provide transportation and will help them gain entrance, but who would not accompany them during the test.

The blind tester was clearly recognizable as a blind person—using both a cane and a guide dog. When he arrived for an appointment with a housing provider, he was assisted by a stranger on the street to access the building, but was stood up by the housing provider. He returned to the office of the local testing organization and called the housing provider to find out what happened. The housing provider told the tester that he had also been at the appointment site at the right time, but that because he saw that one of the men had a dog and dogs are not allowed, he did not answer the door. (Test #0128)

Scenario: In-Person Testing with Blind Persons but No Guide Dogs. The second scenario in this category also focused on both differential treatment and refusal to make reasonable accommodations, but eliminated the companion animal as a factor. Specifically, a tester who was blind or visually impaired visited a rental office in person to inquire about the availability of housing. At the end of the visit, he or she asked the agent to read the application form aloud so that he or she would know what information and documentation would be needed in order to complete an application. This approach was designed to test the willingness of rental agents to provide a reasonable accommodation *immediately*, as opposed to agreeing to provide one later.²⁰ The nondisabled tester also visited in person, making the standard rental housing inquiries.

Seven tests of this type were completed during the exploratory phase, proving it to be feasible and effective. As discussed above, testers who were blind sometimes had difficulty gaining access to rental offices. In addition, some housing providers summarized or paraphrased the application form rather than reading it verbatim, raising some question about what constitutes a reasonable accommodation in this regard.

A disabled tester who asked for the reasonable accommodation of having the housing provider read the application form was told, "no, you go home and fill out the application and call back." (Test #0525)

²⁰ If written application forms were not used by a sampled housing provider, testers simply asked for a list of what information and documentation they would need to provide, and no data on reasonable accommodation were recorded.

Testing for Discrimination Against Persons with Mobility Impairments

Testing for discrimination against persons with mobility impairments is more complex and challenging than one might at first think, because the accessibility of rental properties varies (depending in part upon structure type and when they were built), and because the kinds of modifications a disabled homeseeker might reasonably request depends upon the characteristics of the property and the unit. We implemented two exploratory testing scenarios designed to capture different forms of discrimination against persons with mobility impairments who are seeking housing in the rental market.

Scenario: In-Person Testing with Persons Using Wheelchairs. The first scenario involved in-person testing by individuals using wheelchairs, in order to capture both differential treatment and refusal to permit reasonable unit modifications. These tests targeted rental housing available in the conventional, private market, some of which is accessible or could reasonably be made accessible, and some of which cannot reasonably be made accessible. HUD established at the outset that this project is not intended to test for compliance with accessible design and construction standards. Instead, its focus is on discrimination against individual disabled homeseekers inquiring about the availability of rental units and the reasonable accommodations or modifications they need.

When a disabled tester asked if he could install a ramp into the unit, he was told by the housing provider that if he were a current tenant and he had an accident that subsequently required a ramp, then they would be required to put one in, but otherwise he could not install a ramp. The tester was then told that he would have to be put on a waiting list for a more accessible unit. (Test #0931)

Therefore, this testing scenario required the local testing coordinator to make a preliminary reconnaissance of each sampled property to determine whether the building was visitable or could reasonably be made accessible.²¹ If it was not, no test was conducted. For properties that appeared at this reconnaissance stage to be accessible, the nondisabled tester would visit first, making the standard rental housing inquiries, but also recording information about any modifications that might be needed to make the building or unit fully accessible. Based upon this information, the test coordinator determined what modification the tester with a disability should request in his or her visit.

Seven tests of this type were conducted in the exploratory phase, establishing that it is feasible to test for both differential treatment and unwillingness to allow reasonable

²¹ This reconnaissance focused on the visitability of the rental office and dwelling units, and used criteria consistent with the design and construction requirements of the Fair Housing Act in making the determination of whether the building was accessible. However, this study did not make any formal determination as to whether or not the building was covered under the design and construction requirements of the Fair Housing Act.

modifications. However, nondisabled testers were not always able to accurately or consistently identify modification needs in their test visits. In some cases, this was because they were not shown the same unit as their nondisabled partners. Therefore, it may make more sense to develop a list of reasonable modifications in advance of the testing process, and train testers with disabilities to request the first relevant modification on the list, based on their assessment of the property and the unit. In addition, testers using wheelchairs sometimes had difficulty traveling around the metropolitan area to widely dispersed test locations.

Scenario: Non-Paired Telephone Testing to Request a Reasonable Accommodation. The second testing scenario in this category focused on the willingness of rental housing providers to make reasonable parking accommodations for persons with mobility impairments. This scenario was non-paired, and therefore did not capture differential treatment. Instead, a disabled person telephoned a rental office to inquire about available units and indicated that, due to a mobility impairment, he or she would need a designated accessible parking space near the rental unit. Depending upon the outcome of this initial call, the tester would follow up with up to two *additional* phone calls as needed, trying to obtain a commitment on this accommodation. More specifically, testers made the additional phone contacts until they received an unambiguously positive or negative response to a three-part request: 1) can I have a parking space? 2) is the parking space reasonably close to my unit? and 3) will the parking space be designated for my exclusive use?

Seven tests of this type were completed, establishing it as a very inexpensive approach for assessing the willingness of housing providers to make reasonable accommodations for persons with mobility impairments. In some cases, however, there was ambiguity about whether the parking space would be officially designated as an “accessible” space, or whether it would simply be designated for the exclusive use of the resident. Moreover, because this approach is unpaired, it provides no information about differential treatment of persons with disabilities. However, in research tests, requests of this type regarding parking accommodation can be combined with the in-person, paired test scenario described above.

When the tester with a physical disability called the housing provider to ask about a parking accommodation, the housing provider said she had to check with the manager. However, she did say that "handicapped parking spaces were not specifically designated to individual tenants and were available on a first-come first-served basis." She also told the tester that he could rent a covered parking space for \$15 per month in order to guarantee a designated parking space near the apartment. (Test #0518)

Adapting Testing Strategies to Different Market Segments

In previous research projects that have tested for discrimination in the private housing market, the Urban Institute has used a carefully designed sampling methodology to draw a

representative sample of housing units or providers. Our standard methodology has been to define the universe from which the sample would be drawn, including or excluding particular categories of housing, to construct a listing of all units or providers in this universe, and then to draw a random sample so that every unit in the defined universe had a known chance of appearing in the sample.

For most of the testing conducted during the exploratory phase of this project, the universe for testing was defined as housing units advertised as available for rent, excluding luxury rentals, publicly subsidized properties, and units restricted to elderly tenants.²² It included all other rental units (within specified geographic areas) advertised in one or more publicly available source. With these boundaries on the universe, representative samples were drawn from the classified advertisements of major metropolitan newspapers, community newspapers, and apartment and real estate guides.

In addition, we experimented with adaptations to this sampling methodology to include two additional segments of the rental housing market—senior housing and properties subsidized under the Low-Income Housing Tax Credit (LIHTC) program. Specifically, we targeted wheelchair tests to senior rental housing developments, and a small number of the wheelchair, deaf, and blind protocols to LIHTC properties. Testing in both of these market segments proved feasible, but raised significant sampling issues from the perspective of large-scale research testing.

Scenario: In-Person Testing in Senior Housing. Elderly people make up roughly half of the mobility-impaired, blind/low vision, and deaf/hard-of-hearing populations. Targeting testing to elderly-only rental developments would make it possible to determine whether elderly disabled renters face discrimination when they apply to live in these developments, compared to the nondisabled elderly. Therefore, one exploratory testing strategy focused exclusively on elderly-only rental housing developments, and tested for differential treatment against homeseekers using wheelchairs. We anticipated that all elderly housing developments would be structurally accessible to persons with mobility impairments. An elderly tester using a wheelchair visited sampled developments in person to inquire about available housing. A nondisabled tester in the same age range also visited in person, making the same standard rental housing inquiries.

²² Luxury units are typically excluded from paired testing studies both because they are atypical of the conventional housing market and because it may be difficult for testers to pose as sufficiently affluent to be credible, raising the risks of disclosure. Subsidized properties are generally excluded because they are likely to have waiting lists, complex application procedures, and specialized eligibility requirements. Properties restricted to elderly tenants are generally excluded because definitions of elderly may vary and because these properties may impose additional screening criteria, such as health assessments.

Two tests of this type were conducted in the exploratory phase. This approach is clearly feasible, but creating a sufficiently large sample of elderly-only rental housing developments proved to be a challenge from a research testing perspective. A sample of potential developments was drawn from an expansive Internet search of elderly housing sites, including: marketfinder.com, forrent.com, homestore.com, seniorresidences.com, and retirementhomes.com.²³ Many rental developments targeted to seniors offer “assisted living” or “continuing care” services in conjunction with housing, and therefore require information about an applicant’s health care needs as well as housing needs. Testing for discrimination in these circumstances would require new approaches and protocols. However, it appears that a larger number of developments may offer housing for elderly homeowners, and may represent a feasible target for future testing for discrimination on the basis of disabilities.

Scenario: Testing in Low-Income Housing Tax Credit Developments. Because a substantial proportion of persons with disabilities have low- to moderate-incomes, there is strong interest in testing rental properties that receive housing subsidies. Therefore, the exploratory phase of this project targeted a small number of tests to housing developed under the federal Low-Income Housing Tax Credit (LIHTC) program. Specifically, two tests for discrimination against blind persons (with guide dogs), two TTY tests, two in-person tests for discrimination against deaf persons, and four wheelchair tests were completed for LIHTC developments. Samples of potential developments were drawn from HUD’s LIHTC database and from listings provided by the New Mexico Mortgage Finance Authority and the Illinois Housing Development Authority. Testing protocols were modified slightly so that testers were not asking for units that were immediately available, but were inquiring about the length of the waiting list and what types of units might be available now or within the next three to six months.

This experience indicates that, although testing LIHTC properties may well be feasible for enforcement or investigatory purposes, assembling a sufficiently large, reliable, and comprehensive sample of LIHTC properties to support rigorous research testing represents a significant challenge. Existing lists of LIHTC properties include many non-working telephone numbers. Advance calls to these properties sometimes indicated that managers did not know (or could not explain) what kind of subsidized housing they had or what eligibility requirements would apply. In addition, some properties do not accept in-person applications or inquiries and will not discuss availability until the application process has been completed and eligibility has been determined.

²³ Note that we did not include subsidized housing for seniors, which might have increased the pool of potential properties, but would have raised other issues regarding waiting lists and eligibility criteria.

3. If this is a multi-unit building, does it have 4 or fewer units? Yes No
- 3a. If Yes, does the owner live in the building? Yes No
4. What are the office hours (include weekend and evening hours where available)?
-

For In-Person Tests

5. Is it possible to drop in to speak with a housing provider about the available housing?
 Yes (you may drop in) No (you must have an appointment)
- 5a. Verify the address to be visited: _____
-

6. With whom did you speak? _____

7. Is this the final advance call? Yes No
- 7a. If Yes, based on the results of the advance call, is the housing ineligible for any reason?
 Yes No

7b. If Yes, please specify the reason(s) for ineligibility:

- Housing provider could not be reached after repeated attempts
- Telephone number was no longer in service
- Telephone number was incorrect
- No housing available
- Only housing available has 3 or more bedrooms
- Small owner (4 units or fewer)
- Single-Family Home
- Mobile Home
- Seasonal/temporary/vacation/short-term
- Outside of target area
- Exceeds rent limit for target area
- Share situation
- Sublet
- Apartment locator service
- For-Fee Service
- Public/Section 8 housing/LIHTC development
- Housing for older persons

Other (*specify*): _____

8. Comments: _____

ANNEX C

TTY Testing Forms

DDS Test Assignment Form - Rental (Telephone)

header1	Telephone (TTY) Rental Assignment	
SITECODE	SITE	UI Internal Test Site DDS
CONTROL	0 CONTROL #	XX-01-0002-D
SEQUENCE	Tester sequence	2
DISID	DISABILITY ID	Disabled
TESTERID	0 TESTER ID NUMBER	(No Tester Assigned)
ATSTTYPE	0 TYPE OF TEST	rental
AAPPTYPE	0 TYPE OF APPROACH	-1
ADATEV	DATE OF CALL (mm/dd/yy)	
ATIMEV	TIME OF CALL (_ _:_ _)	
ATIMEVM	A.M. P.M. for TIME OF CALL	
header9	TEST SITE	
PPNAME	1 Name of Test site (if known)	*****
header11	Site Address (if known)	
PADDRS	2 street	*****
PCITY	2 city	*****
PSTATE	2 state	*****
PZIP	2 ZIP 00000	*****
Head171	Telephone number(s) of test site:	
PPHN1	3 First Number (000)000-0000	*****
PPHN2	3 Second Number: (000)000-0000	*****
header20	SOURCE OF INFORMATION ON TEST SITE	
SRCENAME	4 Advertisement: Name of source	-1
ADDATE	5 Advertisement: Date of Publication (mm/dd/yy)	
ADTEXT	6 Advertisement: text of ad	
header24	TYPE OF HOUSING TO BE REQUESTED	
PBEDS	7 Number of Bedrooms to be requested	1
PMINBED	7a Minimum number of bedrooms for household	1
PHMTYPR	8 Type of unit	-1
PHNEED	9 Date Housing is Needed (mm/dd/yy)	01/01/01
PHMPRI	10 Price of housing	*****
PHHCOMP	11 Household Composition	Single Adult
APRIR	12 Price Range [Tester may consider units for LESS than this range as well]	1100 to 1300
APREFER	Area Preference (IMPORTANT: DO NOT CITE A NEIGHBORHOOD PREFERENCE)	
AAREAP	13 If you are pressed by the agent, you may state that you are looking in	
header33	Remember: You are open to any areas recommended by the housing provider	
AMOVERR	14 Reason for Moving	

AHEAD55	Other places visited: Just started looking		
header36	ASSIGNED CHARACTERISTICS		
TFNAME	15	Tester Name:	
header38	Tester Address		
TFADD1	16	Tester Address	
TFADD2	16	Tester Address (city/state/zip)	
TVPHONE	17	Voice Mail Number Assigned to Tester (000)000-0000	
header42	Information on Persons in Household		
ARACE1	18	Tester's race	-1
TSEX	18	Tester's gender	-1
AAGE1	18	Tester's age	-1

TH01	Household Income		Gross Annual Income	
AINCMON1	19	Tester	4925	59100
AINCMONT	19	Total for Household	4925	59100

TH02			
header73	Employment Information		
AOCC1	20	Tester current occupation	
AEMP1	20	Name of tester's current employer	
AEAD11	20	First line of tester's employer's address	
AEAD12	20	Second line of tester's employer's address	
AELNG1	20	Length of employment at current job	-1
AHEAD21	Credit standing: Excellent, no late payments		
header13	CURRENT HOUSING SITUATION		
AHEAD31	Type of current housing: Rent		
ARENTNOW	21	Amount of Current Rent	1190
ALGNCUR	21	Years at Current Residence	-1
ALEASETP	21	Type of Rental Agreement at Current Residence	
AHEAD61	History of rent payment at current residence: Always on time.		
AHEAD62	Other characteristics: Non-smoking, No pets		
AOTHINFO	22	Other Test Information	
RELEASE		Test Released	Yes

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Disability Discrimination Study – Pilot Phase

TEST INSTRUCTIONS

Scenario: Communication Disability Telephone Differential Treatment

A. **Conducting the Test**

There are some tasks that all DDS testers are expected to complete on every test of a housing provider. These tasks are detailed below and will always be attached to the Test Assignment Form.

- **Review and refer to your test assignment**

You should review your test assignment thoroughly and keep it with you during your telephone call so that you can refer to it if necessary. The housing provider may ask you questions about your personal situation or financial circumstances, and you will need to be prepared to answer them.

- **Call the housing provider in response to the advertised housing. Be persistent when trying to reach the housing provider**

The disabled tester will call the housing provider using a TTY/TDD machine and a relay operator. The non-disabled tester will call the housing provider directly.

You will be required to make five (5) attempts to reach a housing provider within 24 hours. You should call at different times of the day. Never leave a message on an answering machine or with a person who cannot discuss the housing with you. If you cannot reach the housing provider within 24 hours, notify your Test Coordinator.

- **Take Notes**

It is essential that testers **take good notes** during the telephone call. You will need these notes in order to complete the test report forms and narrative after your test has been completed.

- **Inquire about the available rental housing**

You should confirm the availability of rental housing options when you call the housing provider. There is an order or sequence that you should follow in asking about available rental housing.

Step 1

Always inquire about the availability of any rental housing that has the same number of bedrooms as you are assigned. If it is available, express interest in it. Remember, the housing must be within your assigned price range and available when you need it.

Step 2

If no housing is available with the number of bedrooms assigned, inquire about any other rental housing that might meet your needs. Remember, the rental housing must be in your assigned price range and available when you need it, according to your assignment.

If, at any point during the test, a housing provider offers or recommends that you consider a home or apartment, you should express interest in it, provided that the rental housing is (1) within your price range and (2) available for when you need it.

- **Obtain information about the available rental housing**

Testers must express interest in and obtain detailed information about homes or apartments that are suggested by a housing provider during the phone test. Whenever testers are informed about rental housing that meets their needs (i.e., bedroom size, price range and date of availability), it is vital that certain information is obtained about each home or apartment suggested, including the following:

- / **Exact Address (and floor the unit is located on)**
- / **Number of Bedrooms**
- / **Rent Price**
- / **Security Deposit**
- / **Other Fees (if any)**
- / **Length of Lease**
- / **Date of Availability**

Testers may have to ask for some of the information listed above if it is not volunteered by the housing provider.

Also, testers will inquire about the application process and if any fee is required. Testers should also make note of the purpose and amount of any other fees and if those fees would need to be paid at the time of application.

Remember, testers will **never** complete a rental application or formally apply for any rental unit. It is reasonable, however, for a prospective renter to inquire about any application fees that might be required prior to deciding whether to apply for available rental housing.

If the housing provider asks if you would like an application mailed to you, be agreeable and provide your address. However, if the housing provider wants to make an appointment with you to come in to complete an application or view units, say that you are just beginning your housing search and are not interested in doing this at the present time.

IF YOU ARE TOLD ABOUT A WAITING LIST, please follow these simple instructions:

- / Ask how many people are on the waiting list.
- / Ask how long it might take to be offered a unit.

/ Do not ask or agree to put your name on any waiting lists.

- **Obtain the name of the housing provider**

If the housing provider has not volunteered his or her name by the end of your call, please ask for it.

- **Allow the housing provider to suggest any follow-up contact**

Every call that a tester makes to a rental housing provider will come to an end. Testers should not initiate, suggest or offer to make any arrangements for future contact with the housing provider. As a tester, you may thank a housing provider for his or her assistance, but you must refrain from suggesting that you will get back to the housing provider or that the housing provider should contact you. **Please permit the housing provider to suggest any follow-up contact.**

Following are some examples to illustrate how a test might unfold and how you should inquire about housing availability. These examples should NOT be viewed as “scripts” for how you should make your calls, but should serve as a guide on how to conduct the test while adhering strictly to the DDS protocols.

EXAMPLE 1

Advertised Housing: 2-bedroom apartment available June 1st that rents for \$1300.

Tester Assignment: 2 bedroom apartment needed by June 15th. Rent limit is \$1325.

Housing Provider: Hello, Saguaro Apartments.

Tester: Hi, I'm calling about the 2-bedroom apartment for rent. Is it still available?

Housing Provider: No, I just rented that one.

Tester: Do you have any other apartments that would be available by June 15th?

Housing Provider: There is a 2-bedroom unit that should be available by the 15th. It rents for \$1400. And then I will also have a 1-bedroom as well. That will rent for \$1275.

Tester: I'd be interested in the 1- bedroom then. Can you tell me about the unit?

Housing Provider: It's on the 4th floor of the building. The rooms are a nice size and there is plenty of light. The kitchen was updated a couple of years ago. There is laundry on the ground level of the building and an exercise room.

Tester: Do you require a security deposit or any fees for applying?

Housing Provider: The deposit is one month's rent, but there aren't any other fees. We do ask for references though.

Tester: And the apartment is available as of June 15th, right? How long is the lease?

Housing Provider: It's a one year lease usually. Yes, the apartment could be rented for June 15th.

Tester: Thanks for the information. I'm calling about a few places I've seen advertised. What is your name, by the way?

Housing Provider: Felipe. Well, if you want to take a look at it, just stop by.

Tester: Ok. Thanks again.

EXAMPLE 2

Advertised Housing: 2-bedroom apartment available June 1st that rents for \$1300.

Tester Assignment: 2-bedroom apartment needed by June 15th. Rent limit is \$1325.

Disabled tester places call over a TTY/TTD machine via a relay operator.

Housing Provider: Hello, Saguaro Apartments.

Tester: Hi, I'm calling about the 2-bedroom apartment for rent. Is it still available?

Housing Provider: What kind of call is this?

Tester: I'm calling through a relay operator because I can't speak to you directly.

Housing Provider: I'm sorry. I'm not set up to take such a call.

Tester: The relay operator can help us communicate. You don't need anything special on your end to take the call.

Housing Provider: Sorry. I'm just swamped right now and can't take the time.

Tester: Can you tell me if the 2-bedroom apartment is still available?

Housing Provider: No, it's been rented. (hangs up phone)

8. Name of person with whom you spoke: _____

9. When you asked about the availability for the type of rental housing that you were assigned (e.g., one bedroom), what were you told? [*check only ONE box*]

The rental housing is available when I need it

The rental housing is NOT available when I need it

The housing provider did not know whether the rental housing was available

Something else (*specify*): _____

9a. How many units of this type were you told about? _____ Units

10. What were you told about any "other" rental housing ("other" rental housing has a different number of bedrooms than assigned, is within your price range, and is available when you need it)? [*check only ONE box*]

Other rental housing is available when I need it

Other rental housing is NOT available when I need it

The housing provider did not know whether other rental housing was available

Something else (*specify*): _____

10a. How many other units were you told about? _____ Units

11. How many **TOTAL** rental housing units did the housing provider tell you were available? (*Add units from 9a and 10a*) _____ Units

12. Did the housing provider tell you that an application form of some kind must be completed before renting a unit?

Yes

No

12a. Did the housing provider invite you to come in and pick up an application or offer to send you one?

Yes

No

12b. Did the housing provider tell you that a credit check was part of the application process?

Yes

No

12c. Did the housing provider tell you that a co-signer would be needed as part of the application process?

Yes

No

12d. Did the housing provider tell you that a criminal background check was part of the application process?

Yes

No

13. Did the housing provider request information about your income, source of income or occupation?

Yes

No

If yes, please record what the housing provider said: _____

14. Did the housing provider make any remarks about disability or persons with disabilities?

Yes

No

14a. If Yes, please record what the housing provider said: _____

15. Did the housing provider make any remarks about accessibility or units that were "handicapped" accessible?

Yes

No

15a. If Yes, please record what the housing provider said: _____

16. Did the housing provider make any remarks about race/ethnicity, religion, or families with children?

Yes

No

16a. If Yes, please record what the housing provider said: _____

17. Where you referred to the following during your call?

Assisted living

Nursing home

Group home

Low income housing

Other _____

None

18. What arrangements were made regarding future contact between you and the housing provider [*check all that apply*]?

The housing provider said that he/she would call you back

The housing provider invited you to call him/her back

The housing provider invited you to come in to inspect units/pick up application

Future arrangements were not made

Other (*specify*): _____

19. When was this report completed?

Date (month/day/year): ____/____/____

Day of week: _____

Time: __ __: __ __ AM PM

Did you receive assistance in completing form? Yes No

If Yes, who assisted you? _____
(print)

11. **FEES** (e.g., pet fee, parking, cleaning, etc.)

<u>Name/Purpose</u>	<u>Amount</u>	<u>When Paid?</u>	<u>How Often?</u>
Application	\$ _____	<input type="checkbox"/> At Application <input type="checkbox"/> After Move in	<input type="checkbox"/> One-time <input type="checkbox"/> Monthly
Security Deposit	\$ _____	<input type="checkbox"/> At Application <input type="checkbox"/> After Move in	<input type="checkbox"/> One-time <input type="checkbox"/> Monthly
_____	\$ _____	<input type="checkbox"/> At Application <input type="checkbox"/> After Move in	<input type="checkbox"/> One-time <input type="checkbox"/> Monthly
_____	\$ _____	<input type="checkbox"/> At Application <input type="checkbox"/> After Move in	<input type="checkbox"/> One-time <input type="checkbox"/> Monthly
_____	\$ _____	<input type="checkbox"/> At Application <input type="checkbox"/> After Move in	<input type="checkbox"/> One-time <input type="checkbox"/> Monthly
_____	\$ _____	<input type="checkbox"/> At Application <input type="checkbox"/> After Move in	<input type="checkbox"/> One-time <input type="checkbox"/> Monthly

11a. Did the housing provider say that any of the above fees were negotiable?

- Yes No

11b. If yes, what did the housing provider say? _____

Waiting List

12. Were you told that there was a waiting list for this unit? Yes No

12a. If Yes, how many people were you told were on the list? _____

12b. If Yes, how long would it take to be offered a unit? _____

12c. If Yes, did the housing provider offer to place your name on the list? Yes No

Financial Incentives / Specials

13. Did the housing provider inform you that you might be able to take advantage of any financial incentives or specials if you decided to apply for and/or rent this unit?

Yes No

13a. If Yes, what were you told? _____

Date form completed: ____ / ____ / ____

Did you receive assistance in completing form? Yes No

Person completing form: _____
(print)

**Disability Discrimination Study
FOLLOW-UP CONTACT FORM**

- COMPLETE ONE FORM FOR EACH CONTACT
- DO NOT USE THIS FORM FOR APPOINTMENT CALLS
- TESTER: NOTIFY TEST COORDINATOR OF ANY CONTACT AND FORWARD MATERIALS RECEIVED

CONTROL # ____ - ____ - ____ - ____ - **D** **TESTER ID #:** ____ - ____ - ____

1. Date and time of contact:
Day of the week: _____
Date: ____ / ____ / ____
Time: ____:____ AM PM

 2. Type of Contact:
 Telephone call to tester at home
 Telephone message left at tester's home
 Voice Mail message retrieved by Test Coordinator
 Postal mail
 E-mail
 Other (*specify*): _____

 3. Name of person making contact: _____

 4. Name of agency (*if given*): _____

 5. What was the stated purpose of the contact? (*check all that apply*)
 Housing provider wanted to see if tester is still interested in renting
 Housing provider wanted to let tester know about more available units
 Housing provider wanted to get more information from tester
 Housing provider wanted to provide information about accommodation/
modification
 Housing provider wanted to thank tester
 Other (*specify*): _____

 6. Describe any materials received: _____
-

ANNEX D

Wheelchair Testing Forms

DDS Test Assignment Form - Rental (In-Person)

header1	In-Person Disability Rental Assignment	
SITECODE	SITE	UI Internal Test Site DDS
CONTROL	0 CONTROL #	XX-02-0002-D
SEQUENCE	Tester sequence	1
DISID	DISABILITY ID	Non Disabled
TESTERID	0 TESTER ID NUMBER	(No Tester Assigned)
ATSTTYPE	0 TYPE OF TEST	rental
AAPPTYPE	0 TYPE OF APPROACH	Drop-In
ADATEV	DATE OF VISIT (mm/dd/yy)	
ATIMEV	TIME OF VISIT (_ _ : _ _)	
ATIMEVM	A.M. P.M. for TIME OF VISIT	
header9	TEST SITE	
PPNAME	1 Name of Test site (if known)	*****
header11	Site Address (if known)	
PADDRS	2 street	*****
PCITY	2 city	*****
PSTATE	2 state	*****
PZIP	2 ZIP 00000	*****
Head171	Telephone number(s) of test site:	
PPHN1	3 First Number (000)000-0000	*****
PPHN2	3 Second Number: (000)000-0000	*****
header20	SOURCE OF INFORMATION ON TEST SITE	
SRCENAME	4 Advertisement: Name of source	Third source
ADDATE	5 Advertisement: Date of Publication (mm/dd/yy)	
ADTEXT	6 Advertisement: text of ad	Gatewood Apartments. Studio-\$645, 1BR-\$750. Covered parking available. Cable included! Rent special 1/2 off 1st month rent. Call 1-800-555-7676.
header24	TYPE OF HOUSING TO BE REQUESTED	
PBEDS	7 Number of Bedrooms to be requested	1
PMINBED	7a Minimum number of bedrooms for household	0
PHMTYPR	8 Type of unit	Unfurnished
PHNEED	9 Date Housing is Needed (mm/dd/yy)	04/15/04
PHMPRI	10 Price of housing	*****
PHHCOMP	11 Household Composition	Single Adult
APRIR	12 Maximum Rent Price	800
HEADMOD	Unit Modification (For Disabled Testers Only)	
UNITMOD2	If you are a disabled tester, ask the housing provider for <u>one</u> of the following: -Modify entry	

		-Modify bathroom -Modify switches -Change doorknobs to levers
HEADACC2		If on-site parking is available, please ask for a parking accommodation. (For Disabled Testers Only)
APREFER		Area Preference (IMPORTANT: DO NOT CITE A NEIGHBORHOOD PREFERENCE)
AAREAP	14	If you are pressed by the agent, you may state that you are looking in
header33		Remember: You are always open to considering any areas recommended by the agent.
AMOVERR	15	Reason for Moving
AHEAD55		Other places visited: Just started looking
header36		ASSIGNED CHARACTERISTICS
TFNAME	16	Tester Name:
header38		Tester Address
TFADD1	17	Tester Address
TFADD2	17	Tester Address (city/state/zip)
TVPHONE	17	Voice Mail Number Assigned to Tester (000)000-0000
header42		Information on Persons in Household
ARACE1	18	Tester's race -1
TSEX	18	Tester's gender -1
AAGE1	18	Tester's age -1
DISCAUS	18	(For Disabled Testers Only) If asked, please state that your cause of disability is:

TH01		Household Income	Gross Monthly Income	Gross Annual Income
AINCMON1	18	Tester	3100	37200
AINCMONT	18	Total for Household	3100	37200

THXX			
header73		Employment Information	
AOCC1	19	Tester current occupation	
AEMP1	19	Name of tester's current employer	
AEAD11	19	First line of tester's employer's address	
AEAD12	19	Second line of tester's employer's address	
AELNG1	19	Length of employment at current job	
AHEAD21		Credit standing: Excellent, no late payments	
header13		CURRENT HOUSING SITUATION	
AHEAD31		Type of current housing: Rent	
ARENTNOW	21	Amount of Current Rent	760
ALGNCUR	21	Years at Current Residence	3 years

ALEASETP	22	Type of Rental Agreement at Current Residence	Lease
AHEAD61	History of rent payment at current residence: Always on time		
AHEAD62	Other characteristics: Non-smoking, No pets		
RELEASE		Test Released	Yes

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Disability Discrimination Study – Pilot Phase

TEST INSTRUCTIONS

Scenario: Wheelchair User In-Person Differential Treatment Unit Modification/Parking Accommodation
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A. Conducting the Test

In DDS, there are only two approaches that testers will make when conducting in-person tests:

- A tester will **drop in** to visit a housing provider in response to an advertisement or listing for available housing;
- or
- A tester will arrive for an **appointment** that was arranged by telephone with the housing provider in response to an advertisement or listing for available housing.

The approach to be made by a tester will be determined by the Test Coordinator and specified on the Test Assignment Form.

There are some tasks that all DDS testers are expected to complete on every test of a housing provider. These tasks are detailed below and will always be attached to the Test Assignment Form.

- **Review your test assignment**

You should review your test assignment thoroughly and make sure you have memorized your characteristics. The housing provider may ask you questions about your personal situation or financial circumstances, and you will need to be prepared to answer them.

- **Take Notes**

It is essential that testers **take good notes** during the test. It is perfectly natural for prospective renters to jot down information about the terms and conditions of renting available homes and apartments during their search for housing. You will need these notes in order to fill out the Test Report Forms after your test has been completed.

- **Inquire about available rental housing**

Even if you have an appointment for your test, you should still confirm the availability of rental housing options when you arrive for your visit. There is an order or sequence that you should follow in asking about available rental housing:

Step 1

Always inquire about the availability of any rental housing that has the same number of bedrooms as you are assigned. If it is available, express interest in it. Remember, the housing must not be over your maximum rent amount and available when you need it.

Step 2

If no housing is available with the number of bedrooms assigned, inquire about any other rental housing that might meet your needs, according to your assignment. It must (1) have at least the minimum number of bedrooms; (2) not be over your maximum rent amount; and (3) be available when you need it.

If, at any point during the test, a housing provider offers or recommends that you consider a home or apartment, you should express interest in it, provided that the rental housing meets your needs according to your assignment.

- **Obtain information about the available rental housing**

Testers must express interest in and obtain detailed information about apartments that are suggested by a housing provider during a test. Whenever testers are informed about rental housing that meets their needs (i.e., bedroom size, price limit and date of availability), it is vital that certain information is obtained about each apartment suggested, including the following:

/ **Exact Address (including unit #)**

/ **Number of Bedrooms**

/ **Rent Amount**

/ **Security Deposit**

/ **Other Fees (if any)**

/ **Length of Lease**

/ **Date of Availability**

/ **Application Process**

Testers may have to ask for some of the information listed above if not volunteered by the housing provider.

When testers inquire about the **application process**, they will ask if any fee is required. Testers should also make note of the purpose and amount of any other fees and if those fees would need to be paid at the time of application. Remember, testers will **never** ask for or complete a rental application or formally apply for any rental unit.

If the housing provider offers you a rental application, you should agree to take one with you and let the housing provider know that you will complete it if you decide later that you want to apply.

- **Ask to inspect any available units**

After you are told about all units that are available that meet your needs, you will then ask to inspect them. You are to try to inspect ALL units that you are told are available. You should also be open to inspecting model units and units that are similar to the ones that are actually available (such as the manager's unit).

- **Be prepared to show your driver's license or other ID**

The housing provider might request to hold your driver's license or other ID or a copy of it for security purposes prior to showing you rental units. Be agreeable to this request. If the housing provider makes a copy of your license, make sure to get it back at the end of your visit.

- **Ask for a Unit Modification** (*Disabled Testers Only*)

If a unit is available and you are able to inspect it, you will ask if you can make a unit modification. You should try to wait until AFTER you have been told about all available units before making this request.

Please follow the order listed below to determine which type of unit modification you should request. You may ask for more than one modification for a specific type, as indicated.

Modification Type 1: **Modify unit entry way** (you may ask for more than one of the following: widen doorway, remove threshold, install ramp, reverse swing of door)

Modification Type 2: **Modify bathroom** (you may ask for more than one of the following: widen doorway, remove cabinets under sink, install grab bars around toilet)

Modification Type 3: **Modify switches** (you should ask for only one of the following: lower thermostat controls, lower light switches)

Modification Type 4: **Modify door handles** (change doorknobs to levers)

If you are unable to inspect an available unit [e.g., tenants still living there, housing provider can't find the key, etc.], you should ask if you can install a grab bar around the toilet area.

- **Ask for a Parking Accommodation** (*Disabled Testers Only*)

If a unit is available and the test site has on-site parking, you will ask if a “handicapped-accessible” parking space can be made available near the unit or building entrance. If the housing provider says that another type of parking space could be made available to you, ask if the space can be made “handicapped accessible.”

- **If you are told about a Waiting List, please follow these instructions:**

/ Ask how many people are on the waiting list.

/ Ask how long it might take to be offered a unit.

/ Do not ask to or agree to put your name on any waiting lists.

- **Obtain the name of the housing provider**

If the housing provider has not volunteered his or her name by the end of your visit, please ask for it.

- **Allow the housing provider to suggest any follow-up contact**

At the conclusion of your test visit, you should NOT initiate, suggest or offer to make any arrangements for future contact with the housing provider. You should simply thank the housing provider for his or her time and assistance, but you **MUST NOT** suggest any kind of follow-up, such as “I will call you when I decide.” Please let the housing provider suggest any follow-up contact.

- **Conduct tester-initiated follow-up, if instructed**

Testers who receive an inconclusive or vague answer to their request for unit modification will be assigned to initiate a follow-up call to the housing

provider. The Test Coordinator will let you know when such a call should be made.

You will make three (3) attempts to make a follow-up call. You will ask to speak to the same housing provider with whom you spoke during your test visit. You will remind the housing provider who you are and what your request was (e.g., widen doorway, install a grab bar, lower light switches, etc.)

Following are some examples to illustrate how a test might unfold and how you should inquire about housing availability, inspection, unit modification, and parking accommodation. These examples should NOT be viewed as “scripts” for how you should conduct your visit, but should serve as a guide to conducting the test while adhering strictly to the DDS protocols.

EXAMPLE 1

Advertised Housing: 1-bedroom apartments from \$480.

Test Assignment: 1-bedroom needed by July 1st. Price limit is \$520.

Tester: Hi, I'm here about the 1-bedroom apartment that was advertised. Is it still available?

Housing Provider: No, I'm sorry, it's just been rented.

Tester: Oh, that's too bad. Would you have anything else available?

Housing Provider: Well, we do have a 2-bedroom, but that's going for \$520. We will have another 1-bedroom August 1st. Would you like to see that one?

Tester: I think I would be interested in the 2-bedroom. I really do need to find a place by July 1st. Would I be able to see that unit right now?

Housing Provider: Sure, it's vacant now. (They enter the unit.) See, we've just painted the whole place and put in new tiling in the bathroom and kitchen.

Tester: It looks nice. What kind of lease is there?

Housing Provider: It's a year lease for the first year and then month-to-month after that. The security deposit is one month's rent.

Tester: Sounds good. What would I need to do to apply if I were interested in this unit?

Housing Provider: You would need to fill out an application and there is a \$25 credit check fee for each person in the household.

Tester: That would be fine. Oh, you know, I would need a grab bar around the toilet area. Would I be able to put one in?

Housing Provider: Well, I don't know. I would have to talk to the owner.

Tester: Okay, maybe you could find out for me. Oh and also, would I be able to get a parking space? I would need it to be handicapped-accessible and close to the building entrance.

Housing Provider: All the units come with an assigned parking space.

Tester: Could the space be made accessible for my van and marked as handicapped?

Housing Provider: No, I'm sorry we couldn't do that.

Tester: Oh, okay, thanks...I'm sorry, what was your name again?

Housing Provider: Uh, Joe. Yeah, okay.

Tester: Thanks, Joe.

EXAMPLE 2

Advertised Housing: 1-bedroom apartments from \$480. (*Building does not have on-site parking.*)

Test Assignment: 1-bedroom needed by July 1st. Price limit is \$520.

Tester: Hi, I'm here about the 1-bedroom apartment that was advertised. Is it still available?

Housing Provider: No, sorry, it's already been rented.

Tester: Well, would you have anything else available July 1st?

Housing Provider: That's the only 1-bedroom we had. I have a 2-bedroom available, but that is going for \$500.

Tester: Well, that's in my price range. Would I be able to take a look at it today?

Housing Provider: Uh, well, the tenants are still in there and I would need to give them 24-hour notice.

Tester: Oh, I see. Well, could you tell me about it then?

Housing Provider: Well, what do you want to know? It's a 2-bedroom on the 3rd floor, the rent is \$500, and the security deposit is the same.

Tester: And what kind of lease is required?

Housing Provider: It's a one-year lease, no exceptions.

Tester: That sounds fine. What would I need to do to if I wanted to apply?

Housing Provider: You would need to fill out an application and there is a \$25 credit check fee for each person in the household. Anything else?

Tester: Well, yes, actually. If there isn't already a grab bar around the toilet, do you think I could be put one in if I decided to rent the place?

Housing Provider: No, that wouldn't be possible. You know, we can't have tenants just putting in anything they wanted. That would just be crazy.

Tester: Okay, then. Thanks very much for your time, I'm sorry what did you say your name was again.

Housing Provider: Joe.

Tester: Thanks, a lot, Joe.

8. If you had an appointment, how many minutes did you wait to meet with someone (i.e. between the time you were greeted by someone when you entered and the time you met with the housing provider?)
_____ minutes
9. When you asked about the availability for the type of rental housing that you were assigned (e.g., one bedroom), what were you told? [*check only ONE box*]
- The rental housing is available when I need it
 - The rental housing is NOT available when I need it
 - The housing provider did not know whether the rental housing was available
 - Something else (*specify*): _____
- 9a. How many units of this type were you told about? _____ Units
10. What were you told about any "other" rental housing ("other" rental housing has a different number of bedrooms than assigned, is within your price range, and is available when you need it)? [*check only ONE box*]
- Other rental housing is available when I need it
 - Other rental housing is NOT available when I need it
 - The housing provider did not know whether other rental housing was available
 - Something else (*specify*): _____
- 10a. How many other units were you told about? _____ Units
11. How many **TOTAL** rental housing units did the housing provider tell you were available? (*Add units from 9a and 10a*) _____ Units
12. Did the housing provider tell you that an application form of some kind must be completed before renting a unit?
- Yes
 - No
- 12a. Did the housing provider ask you to complete an application during your visit or give you an application to take with you?
- Yes
 - No

12b. Did the housing provider tell you that a credit check was part of the application process?

- Yes
- No

12c. Did the housing provider tell you that you would need a co-signer as part of the application process?

- Yes
- No

12d. Did the housing provider tell you that a criminal background check was part of the application process?

- Yes
- No

13. Did the housing provider request information about your income, source of income or occupation?

- Yes
- No

If yes, please record what the housing provider said? _____

14. Were you referred to the following during your visit?

- Assisted living
- Nursing home
- Group home
- Low income housing
- Other: _____
- None

15. Did the housing provider make any remarks about disability or persons with disabilities?

- Yes
- No

15a. If Yes, please record what the housing provider said: _____

16. Did the housing provider make any remarks about accessibility or units that were "handicapped" accessible?
 Yes
 No

16a. If Yes, please record what the housing provider said: _____

17. Did the housing provider make any remarks about race/ethnicity, religion, or families with children?
 Yes
 No

17a. If Yes, please record what the housing provider said: _____

18. Did the housing provider provide you with any of the following items THAT YOU DID NOT ASK FOR?
 Business card
 Brochure
 Floor plan
 Listing of available units
 Lease/Rental Agreement
 Gift
 Other (*specify*): _____

19. What arrangements were made regarding future contact between you and the housing provider [*check all that apply*]?

The housing provider said that he/she would contact you

The housing provider invited you to call him/her

Future arrangements were not made

Other (*specify*): _____

20. When was this report completed?

Date (month/day/year): ____/____/____

Day of week: _____

Time: __ __: __ __ AM PM

Did you receive assistance in completing form? Yes No

If Yes, who assisted you? _____
(print)

UNIT MODIFICATION (for disabled testers only)

Q1. Which modification did you ask to make? (Check one category)

- Modify entry (*check all that apply*)
 - Install ramp
 - Widen doorway
 - Remove threshold
 - Reverse swing of door

- Modify bathroom (*check all that apply*)
 - Widen doorway
 - Remove cabinets under sink
 - Install grab bars around toilet

- Modify switches (check one)
 - Lower thermostat controls
 - Lower light switches

- Change doorknobs to levers

Q2. When you asked the housing provider if you could make the unit modification, what were you told?

- The housing provider said that I could make the unit modification myself and pay for it (answer Q3).

- The housing provider would make the unit modification, but I would have to pay for it (answer Q3).

- The housing provider would make the unit modification at no cost to me (answer Q3).

- The housing provider agreed to make some of the modifications and not others. Please explain: _____

- The housing provider would not allow me to make the unit modification.

- The housing provider had to check with someone else to see if the unit modification could be made.

- The housing provider had to check to see how much the unit modification costs.
- The housing provider did not know if the unit modification could be made, and did not offer to find out.
- Something else: _____

Q3. Did the housing provider tell you that any conditions would be imposed if the unit modification were to be made (e.g., insurance, licensed contractor, waiver of liability, return to original state, extra deposit)?

- Yes
- No

Q3a. If Yes, please describe? _____

PARKING ACCOMMODATION (for disabled testers only)

Q1. When you asked the housing provider if a “handicapped-accessible” parking space could be made available near an available unit / the building entrance, what were you told?

- A “handicapped-accessible” parking space could be made available near an available unit / the building entrance (answer Q2).
- A “handicapped-accessible” parking space could be made available, but not near an available unit / the building entrance (answer Q2).
- A “handicapped-accessible” parking space could NOT be made available.
- There is no “handicapped-accessible” parking.
- The housing provider had to check with someone else to see if a “handicapped-accessible” parking space could be made available.
- The housing provider had to check to see how much the “handicapped-accessible” parking space costs.
- The housing provider did not know if a “handicapped-accessible” parking space could be made available, and did not offer to find out.
- Something else: _____

Q2. Did the housing provider tell you that any conditions would be imposed if the parking accommodation were to be made (e.g., additional cost).

- Yes
- No

Q2a. If Yes, please describe? _____

11. Length of lease? (check all that apply)

- Month-to-month
- Three-month
- Six-month
- One-year
- Two-year
- Other (specify): _____

12. FEES (e.g., pet fee, parking, cleaning, etc.)

<u>Name/Purpose</u>	<u>Amount</u>	<u>When Paid?</u>	<u>How Often?</u>
Application	\$ _____	<input type="checkbox"/> At Application <input type="checkbox"/> After Move in	<input type="checkbox"/> One-time <input type="checkbox"/> Monthly
Security Deposit	\$ _____	<input type="checkbox"/> At Application <input type="checkbox"/> After Move in	<input type="checkbox"/> One-time <input type="checkbox"/> Monthly
_____	\$ _____	<input type="checkbox"/> At Application <input type="checkbox"/> After Move in	<input type="checkbox"/> One-time <input type="checkbox"/> Monthly
_____	\$ _____	<input type="checkbox"/> At Application <input type="checkbox"/> After Move in	<input type="checkbox"/> One-time <input type="checkbox"/> Monthly
_____	\$ _____	<input type="checkbox"/> At Application <input type="checkbox"/> After Move in	<input type="checkbox"/> One-time <input type="checkbox"/> Monthly
_____	\$ _____	<input type="checkbox"/> At Application <input type="checkbox"/> After Move in	<input type="checkbox"/> One-time <input type="checkbox"/> Monthly

12a. Did the housing provider say that any of the above fees were negotiable?

- Yes
- No

12b. If yes, what did the housing provider say? _____

Waiting List

13. Were you told that there was a waiting list for this unit? Yes No

13a. If Yes, how many people were you told were on the list? _____

13b. If Yes, how long would it take to be offered a unit? _____

13c. If Yes, did the housing provider offer to place your name on the list? Yes No

Financial Incentives / Specials

14. Did the housing provider inform you that you might be able to take advantage of any financial incentives or specials if you decided to apply for and/or rent this unit?

Yes No

14a. If Yes, what were you told? _____

Date form completed: ____ / ____ / ____

Did you receive assistance in completing form? Yes No

Person completing form: _____
(print)

Disability Discrimination Study
TESTER-INITIATED FOLLOW-UP FORM

CONTROL # ____ - ____ - ____ - **D** **TESTER ID #:** ____ - ____

1. Phone number called: (____) _____ - _____

2. Date and time of contact:

Day of the week: _____

Date: ____ / ____ / ____

Time: ____:____ AM PM

3. This is call attempt number (*circle*): 1 2 3

4. Was the follow-up call completed?

Yes (*go to Q5*)

No (*check one box below*)

Left message on voice mail, pager, etc.

Left message with person

Told to call back later

No answer

Telephone number no longer in service

Other (*specify*): _____

5. When you asked the housing provider if you could make the unit modification, what were you told?

The housing provider said that I could make the unit modification myself and pay for it.

The housing provider would make the unit modification, but I would have to pay for it.

The housing provider would make the unit modification at no cost to me.

The housing provider would not allow me to make the unit modification.

The housing provider still did not know if I could make the unit modification.

The housing provider said the unit was no longer available.

Something else: _____

6. Comments made by the housing provider: _____

**Disability Discrimination Study
FOLLOW-UP CONTACT FORM**

- COMPLETE ONE FORM FOR EACH CONTACT
- DO NOT USE THIS FORM FOR APPOINTMENT CALLS
- TESTER: NOTIFY TEST COORDINATOR OF ANY CONTACT AND FORWARD MATERIALS RECEIVED

CONTROL # ____ - ____ - ____ - ____ - **D** **TESTER ID #:** ____ - ____ - ____

1. Date and time of contact:
Day of the week: _____
Date: ____ / ____ / ____
Time: ____:____ AM PM

 2. Type of Contact:
 Telephone call to tester at home
 Telephone message left at tester's home
 Voice Mail message retrieved by Test Coordinator
 Postal mail
 E-mail
 Other (*specify*): _____

 3. Name of person making contact: _____

 4. Name of agency (*if given*): _____

 5. What was the stated purpose of the contact? (*check all that apply*)
 Housing provider wanted to see if tester is still interested in renting
 Housing provider wanted to let tester know about more available units
 Housing provider wanted to get more information from tester
 Housing provider wanted to provide information about accommodation/
modification
 Housing provider wanted to thank tester
 Other (*specify*): _____

 6. Describe any materials received: _____
-