

HYPOTHETICAL ONE

The City of Twizzler has a population of 100,000 and a sizeable Chinese community of 12,000. There is a lack of affordable housing in Twizzler. Therefore, many people have moved to the less expensive neighboring town of Twinkie. Twinkie has a population of 5,000. Twenty-eight Twinkie residents speak only Chinese. A small agency of two employees receives CDBG funds to provide landlord-tenant counseling to residents of Twinkie. A man who resides in Twinkie and speaks Chinese but very little English comes to the agency seeking assistance. The man cannot afford to pay his rent and therefore received a notice from his landlord stating that he must pay his rent in three days or move out. The man's 9-year old son, who speaks English, is with him. The housing counselor relies upon the man's son in beginning the intake. However, as the intake becomes more complicated, the son is unable to interpret. The housing counselor then provides the man and his son a handbook in English called "Tenant's Rights and Responsibilities". The man asks if an interpreter is available. The housing counselor explains that providing interpreters is too costly; therefore, the agency is unable to provide further assistance to the man at this time.

If the man filed a complaint with HUD's Office of Fair Housing and Equal Opportunity (FHEO) alleging a violation of Title VI, what would FHEO do after it receives the complaint?

What issues would FHEO look at and what findings do you think would be made?

HYPOTHETICAL TWO

The Peeptown Housing Authority (PHA) has decided to discontinue providing services in Spanish even though 40% of the PHA residents speak Spanish and very little English. Among other things, the PHA will no longer provide documents related to tenancy in Spanish, including eviction notices, leases, tenant rules, and signs identifying on-site laundry facilities and vending machines. The Spanish-speaking employees have also been advised not to provide assistance in Spanish. The PHA has implemented the English-only policy as a cost-cutting measure. In addition, there are many Native American languages spoken in the area served and if they provide information in Spanish and English, they believe they would have to provide information in all these other languages as well. The PHA contends that providing the services in all the languages would be too costly and burdensome. Moreover, the PHA says that since they are applying the English-only rule across the board to all tenants, they are not discriminating on the basis of national origin.

If a complaint were brought against PHA, how would FHEO evaluate the PHA's English-only rule and its implementation?

HYPOTHETICAL THREE

Shady Palms is a HUD-subsidized multi-family property that serves the elderly and persons with disabilities. There are 90 units at Shady Palms. Thirty-six of the 90 units are occupied by persons who speak Russian and very little English. The one staff person at Shady Palms who spoke Russian left the job. Two months later, Shady Palms had still not hired a new Russian speaking staff person. They had also allowed their contract with the AT&T interpreter service to lapse. A resident called the Shady Palms office seeking assistance with a leaky faucet. Nobody was available to assist the resident. The resident filed a complaint with FHEO alleging discrimination on the basis of national origin. Two weeks after the complaint was filed, Shady Palms hired a Russian-speaking social services coordinator. The coordinator was hired to assist the residents with their social service needs, translate for the residents and, when necessary, facilitate language translation. In addition, Shady Palms renewed their contract with the telephone interpreter service. During the investigation, FHEO learned that most residents were unaware of the recent measures Shady Palms employed to provide interpreter services to the residents.

How would you decide this LEP case and what facts would inform your decision?

What, if any, recommendations would you make to Shady Palms to improve its services to LEP persons?