

# Incorporating Equity into HUD's Learning Agenda: Thoughts on Studying Structure

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## Abstract

*This article presents informal recommendations for incorporating equity principles into the U.S. Department of Housing and Urban Development's Learning Agenda. An understanding of social and economic structures is essential for understanding contemporary inequities. This article presents several recommendations for how to understand the structural barriers faced by traditionally marginalized groups. Also noted is the importance of taking an intersectional perspective on housing discrimination research.*

## Introduction

Despite the informality of this exercise, it seems necessary to begin with a brief discussion of what equity means in housing research. The Biden Administration's Executive Order On Advancing Racial Equity and Support for Underserved Communities Through the Federal Government and the U.S. Department of Housing and Urban Development's (HUD's) amended *Evaluation Policy Statement* (2022) take an appropriately comprehensive view of the concept to include an awareness of implicit bias, the promotion of researchers from marginalized communities, the advancement of equal opportunities and anti-discrimination, and an affirmative disruption of structural racism.<sup>1</sup>

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<sup>1</sup> Executive Order 13985 of January 20, 2021, Advancing Racial Equity and Support for Underserved Communities Through the Federal Government. *Code of Federal Regulations*, 86 FR 7009: 7009-7013. <https://www.federalregister.gov/documents/2021/01/25/2021-01753/advancing-racial-equity-and-support-for-underserved-communities-through-the-federal-government>.

Although all these goals are laudable, I will focus on the affirmative disruption of structural racism in this commentary. This choice is primarily because the explicit recognition of structural racism in federal policy documents represents the potential for a significant discontinuity in U.S. housing policy. Indeed, one must only glance at the vitriolic backlash it has engendered to understand its potential to advance equity at a pace not seen for decades (and the very real threat of retrenchment).

Structural racism has been defined in many ways by both theorists and empiricists (for example, see Graetz, Boen, and Esposito, 2022; Powell, 2007), but my working definition begins with the recognition that the end of racial animus is necessary but not sufficient to promote racial equity (Bonilla-Silva, 2003). In other words, social structure normalizes itself in a way that maintains (or exacerbates) racial inequalities even without intention (Bonilla-Silva, 1997). Equity thus requires an affirmative attempt to shift this structure in ways that are explicitly advantageous for marginalized racial groups. Of course, although structural *racism* has dominated the public conversation during the past several years, we should not forget that *sexism*, *ableism*, *heteronormativity*, and *nationalism* (to name a few) are all also embedded within the social structure in ways that are not purely additive.

With this definition in mind, I can now fulfill the assignment of providing my thoughts on how best to integrate equity into HUD's Learning Agenda. To avoid operating from a purely critical academic standpoint, I want to mention that the proposed research in the Learning Agenda shows both the remarkable breadth of HUD's Policy Development and Research (PD&R) mandate and the agency's commitment to equity. From an intellectual perspective, it zeroes in on many of the core empirical questions of our time and, assuming satisfactory answers can be produced, will greatly improve domestic housing policy.

## Researching Structure

Given my desire to prioritize the structural components of inequality, it may come as no surprise that my primary recommendation is to expand the aspects of HUD's research that approach structural questions most directly. HUD has a long tradition of research on the marginalized communities that benefit from its various programs, but its work on the structures in which those individuals must operate has been sporadic. To advance equity, it is essential to equally study those with the greatest power to shape the structure and those struggling against those structures. If we do not understand the processes of exclusion by looking directly at those with the power to exclude, we will fail to design programs that effectively promote inclusion.

Some examples of such investigations might include:

**Landlords:** Perhaps the most obvious case for understanding the structural barriers confronted by HUD-subsidized families is the case of landlords, rental property investors, and property managers. At a fundamental level, the actions of these individuals define the geography of subsidized housing in most American metropolitan areas. Certainly, legal screening and illegal discrimination play a substantial role, but these individuals also make choices about tenant management, eviction, marketing, property acquisition, sale, and redevelopment.

As indicated by the Learning Agenda, HUD has conducted several projects to better understand these individuals, including direct data collection from landlords and property managers (Garboden, Rosen, DeLuca, et al., 2018; Garboden, Rosen, Greif, et al., 2018; Garboden and Rosen, 2018), a quasi-experimental evaluation of landlord incentives (Peck et al., 2022), and audit studies designed to understand voucher acceptance (Cunningham et al., 2018). In addition, the Learning Agenda's continued support for the Rental Housing Finance Survey will provide invaluable data on the financial characteristics of rental properties.

Gaps nevertheless remain. Although we are increasing our understanding of how rental property owners respond to the voucher program, we still know little about the owners themselves (aside from a series of qualitative studies such as those cited previously). Various local attempts, sometimes supported by rental registration mandates, have attempted to piece together the ownership profile of particular cities' rental stock, but no consistent best practice has emerged. In addition, the extant datasets do not provide the sort of rich ownership data that was available in the ill-fated *Property Owners and Managers Survey* in the mid-1990s.

Similarly, although our knowledge of Housing Choice Voucher (HCV) landlords has increased during the past decade, far less is known about the owners and managers of Low-Income Housing Tax Credit (LIHTC) subsidized properties at a national level (Bratt, 2008; O'Regan and Quigley, 2000). As noted in the Learning Agenda, such an analysis would be contingent on developing a more accurate address-level dataset of LIHTC subsidized properties.

Nothing about developing such a data infrastructure is easy, but the evidence increasingly suggests that the ownership profile of rental housing in a given metro has profound implications for tenant well-being (Garboden, Rosen, DeLuca, et al., 2018; Immergluck et al., 2020; Raymond et al., 2016; Stegman, 1972), and the equity concerns are substantial.

**Housing Developers:** In a similar vein, there is a remarkable lack of understanding of housing developers as individuals and institutions. An abundance of work (some of which is expanded on in the Learning Agenda) seeks to address the question of affordable housing finance and the impact of regulatory barriers on development (Glaeser, Gyourko, and Saks, 2005; Saiz, 2010). There is a remarkable lack of information on developers and real estate investors as institutions, particularly those outside the traditional Community Development Corporation (CDC) and neighborhood redevelopment systems (Goetz, 1993; Levine, 2021; Levine, 2016).

As with landlords, it is important to study developers without falling into the traps of reductionism or demonization. Developers certainly respond to housing and financial markets, but their strategies go well beyond that, particularly when working on in-fill development where they are required to work within existing communities (Garboden and Jang-Trettien, 2020). On the demonization side, much of the gentrification literature dismisses developers as agents of displacement. There is no doubt that the behavior of some developers can (and does) harm the well-being of low-income communities; however, the demonization of structural actors does little to advance our understanding of how to incentivize their behavior.

Given HUD's commitment to equitable community revitalization, it is essential to bring nuance into these conversations to understand the roles that various development entities play in processes of neighborhood change. Of course, such studies present significant methodological challenges; the study of institutions and networks necessarily requires long-term commitments to particular cases and the use of both quantitative and qualitative data (creating issues of generalizability and replicability). I am encouraged that the Learning Agenda expresses enthusiasm for a multitude of methodological approaches.

**Exclusionary Affluent Communities:** The Learning Agenda contains three important research questions regarding exclusionary communities: (1) how does exclusionary zoning affect housing supply and how can it be changed to align with demand; (2) to what extent do development restrictions impact affordability; and (3) are gentle density initiatives (such as Accessory Dwelling Units [ADUs] and duplexes) effective at creating new housing supply? Each of these concepts is important, but I would suggest work that builds toward a deeper understanding of the exclusionary communities themselves (Goetz, Damiano, and Williams, 2019). This study can involve everything from basic questions of what these neighborhoods are and how they are changing to more complex issues related to self-interest, wealth, and rent-seeking among those who are able to oppose development.

**Public Housing Authorities:** As with developers, it is important to take an institutional lens on Public Housing Authorities (PHAs), particularly those outside the two dozen most familiar to the research community. Although the largest PHAs certainly serve the majority of low-income families, the “long-tail” of small PHAs has important implications for equity in rural communities and other areas outside of central cities. For example, consider the recent research on waitlist preference structures, which has clear implications for the allocation of benefits within eligible communities (McCabe, 2020; Moore, 2016). It strikes me as essential to understand how PHAs develop these policies. Similarly, recent work has confirmed the value of counseling and support to encourage opportunity moves (Bergman et al., 2019), suggesting that a close examination of how PHAs operate within the status quo is incredibly important for program design.

**Technological Infrastructures:** Finally, the Learning Agenda identifies several places where technological infrastructures have begun to shift traditional housing practices. The most mature example is how real estate websites have begun to replace traditional housing search processes for many demographics (Besbris et al., 2022). Other examples abound, such as Zillow's attempt to estimate the values of homes and its unsuccessful attempt to use that approach to purchase undervalued properties. Tenant screening has also become increasingly based on black-box technologies, creating key questions about the data used for these screenings and the inherent biases that may be hidden within the technology (Fields, 2022; Nelson et al., 2021; Rosen, Garboden, and Cossyleon, 2021). A robust research agenda seems warranted for HUD to maintain programs responsive to these evolving technological structures.

These concepts are only a few brainstormed examples of how HUD can continue to engage in structural issues more directly in its research agenda. They can be roughly summarized as my belief that institutions (broadly defined) matter. They shape the ability of low-income families to access

critical resources, to move to particular neighborhoods, and, ultimately, realize the type of upward mobility that is necessary to redress our nation's inequalities. As suggested by the (highly incomplete) previous citations, there is ample work on which to build, but critical gaps remain.

## **Intersectional Identities and Discrimination**

As described in the introduction, the study of equity issues needs to understand intersectional complexities such as race, gender, class, disability, sexuality, and gender identity. Thus my second recommendation centers around HUD's fair housing mandates and how best to understand exclusion and discrimination in contemporary America.

Hawai'i, where I live and work, represents a distinct racial/ethnic context within the United States. The state famously lacks a majority racial group, and nearly one-fourth of the population identifies as more than one race. These figures are based only on the top-level racial categories available from the U.S. Census, with many more individuals tracing their genealogy back to multiple Asian or Pacific Islander nations. Although this special context is unlikely to reflect U.S. demographics in the foreseeable future, there is no doubt that racial identity is becoming increasingly complex in many American cities (Parker et al., 2015).

Moreover, we have come to understand how race intersects with other characteristics of an individual, such as gender, class, gender identity, and even program participation, to shape how housing market intermediaries perceive them. Whereas the literature is often more theoretical than empirical at this point, it is nonetheless important to incorporate an equity lens in our study of fair housing by explicitly examining the intersectional experience of low-income households.

What might this study mean in concrete terms?

First, as noted in the Learning Agenda, there is enormous potential in measuring discrimination using email correspondence studies. Not only do these studies allow researchers to pick up discrimination happening at different points in the housing search process, but they are much cheaper to implement than in-person audits. Researchers can (and have) conducted many hundreds of tests across dozens of metropolitan areas with relatively low marginal costs to increase their sample size (Aliprantis, Martin, and Phillips, 2022; Cunningham et al., 2018; Moore, 2018). Assuming that the research community can confirm best practices, the dramatic cost reduction will allow correspondence studies to test multiple identity vectors simultaneously.

For example, the literature suggests that Asian Americans are systematically disadvantaged in housing searches relative to Whites, albeit in complex ways (Quillian, Lee, and Honoré, 2020; Reina and Aiken, 2021). Indeed, this discrimination may have been recently exacerbated by the spike in anti-Asian sentiment that resulted from the COVID-19 pandemic. Little discrimination research has systematically disaggregated the enormous heterogeneity of what constitutes "Asian American," nor has there been much systematic insight into how contexts impact the severity of anti-Asian discrimination. Are Asian Americans at an advantage when seeking housing in historically Asian communities that align with their ethnic identity? In which neighborhoods are they at a disadvantage?

All the same questions could also be posed of the vast heterogeneity of the Latino experience, with the particular nuance that national origin, ethnicity, and formal citizenship potentially represent separate vectors of exclusion (Asad and Rosen, 2019; Reina and Aiken, 2021).

From HUD's perspective, it is additionally important to understand how program participation intersects with other aspects of identity to shape how individuals are perceived. For example, the Learning Agenda rightly proposes testing reforms to the HCV program that provide funds directly to tenants. This logic makes sense given that voucher holders can be stigmatized in some contexts, but it must also confront the fact that low-income renters are sometimes only able to convince a landlord to accept them if they have the economic security of a voucher (Rosen, 2014). This consideration does not necessarily mean that the advantages of a cash program outweigh the cons; however, it does suggest that we still have much to learn about how vouchers intersect with other forms of discrimination and how that varies by neighborhood context and housing market (see Faber and Mercier, 2022 for an example).

Finally, stepping outside my expertise, I found the lack of projects specifically addressing transgender discrimination quite noticeable, particularly given the anecdotal and journalistic evidence of the challenges that transgender and non-binary individuals face accessing the homeless shelter system.

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