



THE COMMONWEALTH OF MASSACHUSETTS
COMMISSION AGAINST DISCRIMINATION
ONE ASHBURTON PLACE, BOSTON, MA 02108-1518



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MASSACHUSETTS COMMISSION AGAINST DISCRIMINATION FINDS NEWTON
LANDLORD LIABLE FOR RACE DISCRIMINATION

LANDLORD TELLS BLACK BROKER HE PREFERS
NOT TO RENT TO "AFRICANS"

Boston, MA – September 13, 2011 – On September 6, 2011, following a Public Hearing, the Massachusetts Commission Against Discrimination (MCAD) issued a decision holding a Newton landlord liable for race discrimination against a real estate broker after informing her that he would not rent to "blacks" or "Africans" and that "they were not welcome in the neighborhood." He also told her that he would charge black tenants more if he was to rent to them. The real estate broker, who is African-American, is a resident of Newton. A Commission Hearing Officer awarded the real estate broker emotional distress damages, and ordered the landlord to cease and desist his discriminatory conduct.

The Complainant, a real estate broker, sought to obtain the listing for a rental property advertised by the landlord who owned several Newton properties. The landlord told the real estate broker that she could bring tenants to the property, but that she shouldn't bring any of "those Africans" around because they were "loud" and it was "difficult to get them out." The landlord admitted at the public hearing that he told the real estate broker he would "prefer not to have blacks" because, among other reasons, "he'd be fighting with the neighbors everyday."

When the real estate broker informed the landlord that she was African-American and asked if he would rent to her, he told her he would require “a hell of a lot more money up front” if he did, and enumerated the additional deposits he would require from her. The real estate broker, who is a Newton resident, testified that the landlord’s comments made her feel “very uncomfortable and unwelcome” in the nearby neighborhood of Newton she had just moved into. The Hearing Officer, in finding in the real estate broker’s favor, stated that “[t]his is precisely the kind of stereotyping and discriminatory statement that [General Laws Chapter 151B] prohibits,” and awarded her emotional distress damages in the amount of \$15,000.

“The Commission applauds the broker in this case for immediately contacting state and federal fair housing enforcement agencies in order to bring about an end to the landlord’s blatantly discriminatory conduct. The Commission relies on the residents of Massachusetts to file complaints of discriminatory conduct so that remedial action can be taken,” states Catherine Ziehl, General Counsel of the MCAD. The Hearing Officer found that real estate brokers, who themselves are bound by the fair housing laws, serve as a vital conduit for locating housing and ensuring it is made equally available to all qualified tenants.

The Massachusetts Commission Against Discrimination is the state’s chief civil rights agency. The Commission works to eliminate discrimination in the areas of employment, housing, lending, and public accommodation, and strives to advance the civil rights of the citizens of the Commonwealth through law enforcement, outreach, and training. MCAD currently maintains offices in Boston, Worcester, Springfield, and New Bedford.

Further information about MCAD and the civil rights laws we enforce is available on our website at www.mass.gov/mcad.

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