

Research of the FADA at a glance: Discrimination in the housing market. Strategies for furnishing proof of racist discriminations.

Overview of the expert opinion

For the first time, the Federal Anti-Discrimination Agency implemented a large-scale pilot study to investigate discriminations in the housing market. This is the largest survey carried out in Germany so far, covering 604 valid tandem interviews via phone inquiry, 175 comparable pairs of applicants via face to face interviews as well as via focus group interviewing. The study follows up the issue as to whether 'ethnic origin' or religious affiliation has an adverse effect on the treatment of home seekers and how discriminations become evident in the course of the rental process. Furthermore, the testing methods for making discriminations transparent in the course of placing tenancy agreements should be trialled.

Authors, title and publication year of the expert opinion

Müller, Annekathrin: *'Diskriminierung auf dem Wohnungsmarkt. Strategien zum Nachweis rassistischer Benachteiligungen.'* (Discrimination in the housing market. Strategies for furnishing proof of racist discriminations.) (2015)

Method and outcomes

In the course of this study, a so-called paired ethnic testing method was applied. When using this method, two applicants show their interest in renting the same dwelling. Their profiles differ with regard to one characteristic only: one tester has a (presumed) migration background and/or a visible Jewish or Muslim religious affiliation, the other test person poses as a Christian and can be classified as belonging to the German majority of the population. All other characteristics were held up. Thus, for the purpose of this study, the test person's identity is a young woman between 20 and 45 years of age who is economically secured due to a permanent employment. She is unmarried, childless and holds German citizenship. Subsequently, the testing methods are compared to one another and differences can be put down to the characteristic which has been tested.

Phone inquiries

The test persons have called the housing provider asking for an appointment to view the dwelling. In this context, the differences particularly affected their accent or name, which enabled them to be classified as an individual belonging to the German majority of the population or to the Turkish, Arab or Eastern European group of citizens. As a result, both tests showed that the applicant with a (presumed) migration background was discriminated against more often, on an average in 7% of the cases, when being compared to her test partner belonging to the German majority of the population.

Face-to-face trials

In the course of face-to-face trials, two test persons with identities as described above applied promptly, but independently from each other for the purpose of renting the same dwelling, and they contacted the housing providers personally.

The trials were carried out in Berlin, Leipzig and Nuremberg. In this context, discriminations at three levels were taken into account: 'shortlisted', 'feedback' and last but not least 'promise to rent the dwelling'.

The outcomes show that during the first two stages (shortlisted and feedback) no significant discrimination could be stated on grounds of a racist motivation. However, statistically significant discriminations were measured at the third level, 'promise to rent the dwelling'. The percentage of test persons who were promised to rent the dwelling (with due consideration for the time lag between the rejection of the first tester and the acceptance of the second one) was 25.4% for test persons with a migrant background and 45.8% for test persons belonging to the German majority of the population. With regard to the characteristic of religious affiliation, the percentage ranged between 17.9% and 59%, which is a significant outcome furnishing proof of discrimination on grounds of Jewish or Muslim religious affiliation.

On the whole it was revealed that discriminations occurred on the part of all groups of housing providers. From the number of requested documents, no unequal treatment could be ascertained; however, the number of documents to be forwarded varied between the different groups of housing providers - which entails the risk of a direct discrimination. Furthermore, the risk of discrimination rises in case of smaller and underequipped dwellings as well as in tight housing markets.

Focus group interviewing

In addition to the results of the tests, the lessons learned from qualitative focus group interviewing, inter alia carried out with the help of local anti-discrimination offices, urban tenants' associations and migration and integration boards, also informed the analysis. Various key issues, such as e.g. urban segregation, ceilings and the fixing of quotas or the influence of language, accent and names were discussed in this context.

Conclusions

The outcomes of this survey show that even where conditions are most renter-friendly, racist discriminations occur, which are particularly revealed during the last step of the process of placing the tenancy agreement. The risk of being discriminated against will be increased once again considerably, if there is a visible affiliation to the Muslim or the Jewish religion.

Recommendations on the prevention and elimination of discrimination

Recommendations for action for the various groups of stakeholders in the housing market are derived from the results of the survey.

For housing providers

- Raising awareness of and conveying knowledge to gatekeepers for the protection against discrimination, especially with regard to third persons, who are in direct contact with the homeseekers, e.g. property management agents or janitors.
- Critical review of the requirement profile with regard to the requested documents to identify and avoid potential obstacles to access
- Measures to strengthen the anti-discrimination culture

For the legislators

- Strengthening of testing procedures within the scope of the burden of proof as stipulated in Section 22 of the General Equal Treatment Act
- Critical review of the derogations pursuant to Section 19 para 1, 3, and 5 of the General Equal Treatment Act with regard to their practical application and their potential for discrimination

- Extension of the protection against discrimination in the General Equal Treatment Act to discriminations by third parties involved
- Enshrining a right of class action in the General Equal Treatment Act

For research

- Announcement and further development of studies based on scientific testing as a method to render covert discrimination transparent.
- More systematic surveys on discrimination in the housing market, in particular from an intersectional point of view with regard to the characteristics socio-economic status, citizenship, family circumstances

More information

The summary report on the survey entitled '*Diskriminierung auf dem Wohnungsmarkt. Strategien zum Nachweis rassistischer Testings.*' (Discrimination in the housing market. Strategies for furnishing proof of racist discrimination by means of testings.) is available => [here](#), in German language only.

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