



MINUTES OF EQUAL RIGHTS COMMISSION

MONDAY, JANUARY 16, 2023, 6:00 PM

City Hall, Room 203 - Council Chambers.

Virtual attendance is also available via Zoom.

A. ZOOM MEETING INFORMATION.

I. This item contains Zoom information, instructions, and a link to the Virtual Comment Form.

B. ROLL CALL.

Present: Tara Yang, Said Hassan, Stephanie Guzman, Jon Shelton, Elizabeth Kostichka, Jim Hutchison, Michael Vinson, Mayor Eric Genrich, Louise Padron, Bianca Guzman, Chief of Operations Joseph Faulds, and others.

Excused: Cristina Ortiz, Marcus Grignon

C. APPROVAL OF THE AGENDA.

Moved by Jon Shelton, seconded by Michael Vinson to approve.

Motion passed.

Yes- Tara Yang, Michael Vinson, Said Hassan, Elizabeth Kostichka, Jon Shelton, Stephanie Guzman, Jim Hutchison, No- None, Abstain- None.

D. APPROVAL OF MINUTES.

Moved by Jon Shelton, seconded by Michael Vinson to approve.

Motion Passed.

Yes- Tara Yang, Michael Vinson, Said Hassan, Elizabeth Kostichka, Jon Shelton, Stephanie Guzman, Jim Hutchison, No- None, Abstain- None.

E. REGULAR BUSINESS.

I. INFORMATIONAL ONLY - Land acknowledgement from Louise Padron.

2. Consideration with possible action to appoint a chair.

Moved by Jon Shelton, seconded by Elizabeth Kostichka to appoint Commissioner Tara Yang as the

Chair.

Motion Passed.

Yes- Tara Yang, Michael Vinson, Said Hassan, Elizabeth Kostichka, Jon Shelton, Stephanie Guzman, Jim Hutchison, No- None, Abstain- None.

3. Consideration with possible action to appoint a vice chair.

Moved by Jon Shelton, seconded by Ald. Jim Hutchison to appoint Commissioner Stephanie Guzman as the Vice Chair.

Motion Passed.

Yes- Tara Yang, Michael Vinson, Said Hassan, Elizabeth Kostichka, Jon Shelton, Stephanie Guzman, Jim Hutchison, No- None, Abstain- None.

4. Consideration with possible action on the report: *Life, Liberty, and the Pursuit of Happiness: Recommendations to Promote Equal Housing Opportunity in Green Bay* with invited guest speakers Mayor Eric Genrich and Bianca Guzman.

Speakers: Chair Tara Yang, Mayor Eric Genrich, Commissioner Jon Shelton, Bianca Guzman, Commissioner Stephanie Guzman, Commissioner Said Hassan and Alderperson Jim Hutchison

Moved by Jon Shelton, seconded by Michael Vinson to approve the report and to direct staff to implement the report's recommendations.

Motion passed.

Yes- Tara Yang, Michael Vinson, Said Hassan, Elizabeth Kostichka, Jon Shelton, Stephanie Guzman, Jim Hutchison, No- None, Abstain- None.

F. INFORMATIONAL.

I. Next Equal Rights Commission Meeting: February 9, 2023

G. ADJOURNMENT.

Moved by Ald. Jim Hutchison, seconded by Elizabeth Kostichka to adjourn.

Motion Passed.

Yes- Tara Yang, Michael Vinson, Said Hassan, Elizabeth Kostichka, Jon Shelton, Stephanie Guzman, Jim Hutchison, No- None, Abstain- None.



GREEN BAY EQUAL RIGHTS COMMISSION

Life, Liberty, and the Pursuit of Happiness:
Recommendations to Promote
Equal Housing Opportunity in Green Bay

EQUAL RIGHTS COMMISSION

The following members are appointed by Mayor Eric Genrich and confirmed by the Common Council:

Chair Tara Yang

Vice Chair Jon Shelton

Cristina Ortiz

Michael Vinson

Marcus Grignon

Elizabeth Kostichka

Said Hassan

Stephanie Guzman

Aldersperson Jim Hutchison

More information about the Equal Rights Commission can be found online at the City of Green Bay website: <https://greenbaywi.gov/1234/Equal-Rights-Commission>

Life, Liberty, and the Pursuit of Happiness:
Recommendations to Promote Equal Housing Opportunity in Green Bay
EXECUTIVE SUMMARY

In 2021, the city's first Equal Rights Commission was charged, in part, "to prepare and provide timely reports to the mayor and council on efforts to promote equal rights, equal opportunities, positive community relations, and to eliminate discrimination and inequities in City government and the City." Over the course of the ERC's first meetings, it became apparent that housing represented a significant challenge to equality in Green Bay. A series of public hearings hosted by the ERC in 2022 showed that the city's most vulnerable residents—racial minorities, immigrants, victims of intimate partner violence, and LGBTQ youth, for example—have faced particular struggles in accessing quality, affordable housing. Based on these hearings, the ERC crafted this report, which highlights our findings and offers a series of recommendations to ensure that all of Green Bay's citizens have fair and equal access to housing, one key pillar of the American promise of economic security.

Access to a good place to live is a promise deeply woven in the American creed of "life, liberty, and the pursuit of happiness." From the Homestead Act (1862) during the time of Abraham Lincoln to the Franklin D. Roosevelt's administration's economic bill of rights (1944), with housing as a foundational piece, American leaders across the political spectrum have increasingly seen the necessity of good housing. Civil rights activists like Martin Luther King, Jr. organized, at great risk, to eliminate the grossly unequal access to housing African Americans and other minorities experienced. Finally, religious traditions—including the Catholic church, Judaism, and Islam—all point to the necessity of the right to housing.

Unfortunately, access to housing in Green Bay is embedded in a crisis of national proportions. Those of limited means, virtually everywhere in the country, struggle to find a stable, affordable place to live. There are cities where the crisis is worse than in Green Bay, but the struggle for housing has grown more drastic here in recent years. This struggle, the Commission found, has become particularly acute for specific groups of people as the lack of affordable housing stock has given landlords an excessive amount of power in the rental marketplace.

- Single women, particularly victims of intimate partner violence, struggle to secure safe, high-quality affordable housing as they transition from temporary shelter facilities.
- LGBTQ youth, some of whom are estranged from parental support, struggle to find quality affordable housing and/or fear available rental spaces will be safe for them.
- For African American families in Green Bay, the struggle to find housing is particularly acute, as disproportionate, unwarranted surveillance by landlords combined with disproportionate, unwarranted surveillance by the police seriously limits many Black families' rights to safe, affordable, high-quality housing in Green Bay.
- Immigrants and refugees, particularly large families, struggle to find good housing because they face language barriers or overwhelming economic barriers from landlords.

The ERC recommends immediate, intermediate, and long-term recommendations to build on the efforts toward more affordable housing already being undertaken by Mayor Eric Genrich's administration and the city council.

- In the immediate term, we recommend the city expand programs, including making more support available in multiple languages, to ensure renters in the city know their rights, and we recommend the city expand advocacy for renters by investing in more resources for housing investigation and to rectify potential discrimination.
- In the intermediate term, the ERC calls on the city to develop a program to ensure the public knows which landlords deal fairly with tenants and which do not. We also recommend the city of Green Bay outlay funding to pay for reasonable repairs to rental units when landlords refuse to pay for them, and that the city redouble its ongoing efforts at zoning reform to increase affordable housing stock.
- Finally, in the long-term, the commission calls on the city to prioritize public investment in producing and subsidizing affordable housing. We urge the city to pass an ordinance that would require developers to produce a substantial percentage of affordable housing in any new development, expand efforts to subsidize affordable home ownership, develop a robust community land trust, and create and manage a dramatically greater number of affordable rental units.

The full findings of the Equal Rights Commission can be found in the report that follows. We thank the Genrich administration and the community organizations who spoke at our public hearings for the insights that went into constructing this report.

*Life, Liberty, and the Pursuit of Happiness:
Recommendations to Promote Equal Housing Opportunity in Green Bay*

Green Bay Equal Rights Commission
Tara Yang, Chair
Jon Shelton, Vice Chair

I. Introduction: Housing in Green Bay

A recent ranking by *US News and World Report* [places Green Bay as one of the top ten cities to live in the United States for 2022-23](#).¹ The report cites the city's affordability, safety, and overall quality of life. The recommendations below start from that premise: we are proud of our city and its national reputation as an excellent place to live.

A key component of the *US News and World Report* rankings is based on net in-migration. Clearly, the city has a history of welcoming others, including new neighbors from other parts of the state and the region, and immigrants, especially Hmong, Somali, and Hispanic/Latino/Latinx immigrants.

Green Bay is in the second fastest growing county in the state, and [recent census numbers show that both the city and the county are growing increasingly diverse](#).² Our growing diversity is something to celebrate, and the appointment of the city's first ever Equal Rights Commission is a testament to that fact. The composition of our commission truly represents the diversity here in the city.

A city is only as strong as the opportunities available for its most vulnerable members, however. To maintain (and improve) the city's reputation as an excellent place to live, we must ensure that every resident of our great city has access to the same excellent opportunities. The ERC was appointed with that goal in mind, and we were charged with the broad responsibility to make recommendations about how to make our city more equitable:

The Commission shall meet not less than four (4) times annually for monitoring the employment, contracting, and program activities of the City, and **prepare and provide timely reports to the mayor and council on efforts to promote equal rights, equal opportunities, positive community relations, and to eliminate discrimination and inequities in City government and the City.**

The ERC understands this charge as a grave responsibility, and as we began meeting over the course of our inaugural year, and as individual members, we talked to policymakers and citizens in Green Bay, one major challenge stood out: the challenge many residents, particularly those of limited economic means, face in securing high-quality, affordable housing.

¹ Devon Thorsby, "U.S. News Ranks the Best Places to Live in the U.S., 2022-23," *US News and World Report*, May 17, 2022. <https://realestate.usnews.com/real-estate/articles/us-news-ranks-the-best-places-to-live-in-the-us>

² "Brown County's Ethnic, Racial Population Grows More Diverse," *NBC26*, Aug. 13, 2021. <https://www.nbc26.com/news/local-news/brown-countys-population-grows-more-diverse>

Of course, this problem is not restricted to Green Bay, and in fact, structural shortage of housing represents a problem that originated at least as early as the Great Recession in 2008.³ It cannot be solved, either in our city, or anywhere else, overnight. It is a problem of significant proportions, and there are many areas, both nationally and abroad, where scarcity of housing is even more serious than in Green Bay.⁴ Indeed, as the *US and News and World Report* ranking points out, the median home price is lower here than the national average. In spite of this, however, there simply are not enough affordable housing units in the city to support the needs of our residents, much less the increased residents our employers would like to see in order to continue growing.

Several studies of housing in the city over the past several years have made clear the scale of the problem:

An [analysis completed by the City of Green Bay, published in April 2019](#),⁵ for instance, has shown that:

- “The supply of one-bedroom units appears to have fallen since 2000, limiting housing options for the most disadvantaged residents. Between 64% and 74% of the City’s housing stock was built before 1980, which also poses a risk for low-income families with children living in these homes. The decrease in one-bedroom units and presence of lead-based paint in older homes are impediments to fair housing choice, as they disproportionately affect non-white and disabled residents for whom such units may be the best, or only, viable housing option.” (23)
- “Very few new single-family or multi-family units have been built since 2010. Interviews suggest a lack of adequate supply of *decent* units in both the single-family market and the multi-family rental market. The lack of supply of acceptable single-family and multi-family units is considered an indirect impediment to fair housing choices, as it makes illegal discrimination easier to hide.” (24)
- “It is widely understood that the 13 housing discrimination complaints filed with [the Metropolitan Milwaukee Fair Housing Council] over the past year underestimate the incidence of discrimination in the City. People in search of housing are generally more concerned about avoiding homelessness. People already in housing are concerned about retaliation by landlords if they were to file a complaint. While we cannot get an accurate measure of discrimination, we know that it is occurring and is an impediment to fair housing choice for various protected classes in the City, especially for minorities and those with disabilities.” (51)

³ Madison Huff, “Housing in the US Has Not Been Able to Keep Up with Buyer Demand over the Past Decade,” *Business Insider*, Sep. 27, 2020. <https://www.businessinsider.com/us-underbuilding-housing-over-the-past-decade-2020-9>

⁴ Deirdra Funcheon, “How Miami Became the Center of America’s Rental Housing Crisis,” *The Washington Post*, Sep. 16, 2022. <https://www.washingtonpost.com/business/2022/09/16/miami-center-america-rental-crisis/>. “Not Chump Change: Home Prices in Canada Strain Affluent Budgets,” *New York Times*, Oct. 8, 2022. <https://www.nytimes.com/2022/10/08/world/canada/canada-real-estate-market.html>

⁵ City of Green Bay, *Analysis of Impediments to Fair Housing Choice*, April 30, 2019.

An [analysis published by the city in October 2020](#) showed that:

- “There is a significant gap at the very bottom of the rental market, an undersupply of 3,715 units for those at 30% or less median income.” (23)
- “While the household income of the top 5% of US households has more than doubled in the past 50 years, middle income households have seen only about a 10% increase in that period. Meanwhile, inflation-adjusted housing costs have risen roughly 50% for rental housing and 70% for home ownership in that period. The result of these trends is that housing is requiring a bigger portion of household incomes. Thirty percent of income has long been viewed as the standard threshold for ‘affordable,’ as defined by the federal government. Twenty percent of owners and 43% of renters in the City currently pay more than 30% of their income for housing.” (69)

An [analysis by the Corporation for Supportive Housing, published in 2021](#), made evident:

- In 2019, 2,039 people in Green Bay experienced homelessness, an increase of almost 15% from the previous year. (5)
- “Black and Native Green Bay residents are experiencing homelessness at a rate 11 times and 4.7 more than their representation in the general population.” (6)
- “Between April 2020 and December 2020, then number of clients experiencing homelessness served each month in Brown County grew by 106%.” (7)

Further, as a series of public hearings we held over the course of 2022 have made clear, the lack of good housing, combined with the lack of economic security for the lowest-earning Green Bay residents, has made access to housing even more difficult for several key groups of Green Bay residents, as it has given landlords the power to price available rental units above the range of affordability (defined as rent that is more than 30% of monthly income) while often failing to provide basic maintenance and safe living conditions. These groups include the following:

- Residents with limited economic means
- Women, especially victims of intimate partner violence
- LGBTQ youth
- African Americans
- Immigrant working families, particularly refugees who have settled here

It is important to point out that recent state legislation—since 2010, in particular—has drastically tilted the balance of legal power in Wisconsin toward landlords. As a recent investigative report from the *Milwaukee Journal-Sentinel* has shown, many of the legislators who voted for these changes personally profited from them since they were landlords in addition to serving in the state legislature. Some of these changes include restricting local governments from preventing landlords from excessive background searches of prospective tenants or from allowing local

governments to increase housing inspections in areas more likely to be marked by landlord exploitation of tenants with limited means.⁶

II. Why does housing matter?

Access to quality, affordable housing is a right for everyone in Green Bay. If one cannot access safe and secure shelter, how can they access the American promise of “life, liberty, and the pursuit of happiness”? Unsafe shelter can sharply limit one’s pursuit of happiness, one’s freedom, and even one’s life. Further, spending more than 30% of one’s income often leads to families foregoing food, medical care, and safe childcare to avoid homelessness. To put it simply, access to quality affordable housing determines whether residents in Green Bay truly enjoy the freedoms promised by American democracy.

There is a significant body of historical evidence—from some of our nation’s most profoundly important political thinkers to international religious leaders—to help illustrate the importance of this need, and the necessity of government action to facilitate safe and affordable housing.

During the Civil War, Congress passed the Homestead Act (and President Abraham Lincoln signed it into law), making 160-acre plots of land available to Americans for a very low price to broaden access to land and homes for working class families. Though white families accessed most of this land, thousands of African American families, particularly after the war, were able to gain access to land and homes through the Homestead Act.⁷

In the 1930s and ‘40s, the United States stood as the globe’s most important bulwark against the rise of totalitarian fascism and Stalinism. The upheaval of the Great Depression allowed fascists—most notably the Nazis in Germany—to exploit the economic insecurity of the time to eliminate democracy. In the United States, only a series of social democratic reforms led by the Franklin D. Roosevelt administration allowed the US to maintain democracy and prepare to defeat fascism in World War II.

In January 1944, FDR summed up the need for a broad investment in economic opportunity to defeat Nazi Germany and prevent future totalitarian states: “We have come to a clear realization of the fact that true individual freedom cannot exist without economic security and independence,” FDR pointed out. “People who are hungry and out of a job are the stuff of which dictatorships are made.”

Building on the promise of American democracy, FDR concluded that “In our day these economic truths have become accepted as self-evident. We have accepted, so to speak, a second Bill of Rights under which a new basis of security and prosperity can be established for all — regardless of station, race, or creed.”

⁶ Cary Spivak and Mary Spicuzza, “Some Wisconsin Lawmakers Double as Landlords—and Have Passed Laws That Undermine Renters’ Rights,” *Milwaukee Journal Sentinel*, Jun. 14, 2019 (Updated Jan. 22, 2020). <https://www.jsonline.com/story/news/investigations/2019/06/14/wisconsin-lawmaker-landlords-change-rental-laws-not-favor-tenants-renters-rights/1210327001/>

⁷ Harry Holzer and Norton Garfinckle, *A Just and Generous Nation: Abraham Lincoln and the Fight for American Opportunity* (New York: Basic Books, 2015), 41-50, 88.

Among the rights FDR outlined included the following, and it is illuminating that housing was recognized as one of these cornerstone rights:

- The right to a useful and remunerative job in the industries or shops or farms or mines of the nation;
- The right to earn enough to provide adequate food and clothing and recreation;
- The right of every farmer to raise and sell his products at a return which will give him and his family a decent living;
- The right of every businessman, large and small, to trade in an atmosphere of freedom from unfair competition and domination by monopolies at home or abroad;
- **The right of every family to a decent home;**
- The right to adequate medical care and the opportunity to achieve and enjoy good health;
- The right to adequate protection from the economic fears of old age, sickness, accident, and unemployment;
- The right to a good education.

As Roosevelt concluded, “All of these rights spell security. And after this war is won we must be prepared to move forward, in the implementation of these rights, to new goals of human happiness and well-being.”

The promise of FDR’s Second Bill of Rights structured American politics during and after World War II. In 1949, for example, Congress passed the Federal Housing Act of 1949, which began by asserting the following:

“The Congress declares that the general welfare and security of the Nation and the health and living standards of its people require housing production and related community development sufficient to remedy the serious housing shortage, the elimination of substandard and other inadequate housing through the clearance of slums and blighted areas, and **the realization as soon as feasible of the goal of a decent home and a suitable living environment for every American family, thus contributing to the development and redevelopment of communities and to the advancement of the growth, wealth, and security of the Nation.**”

Indeed, Congress understood, much as is the case in Green Bay today, that the growth, overall prosperity, and safety of Americans was tied to the necessity of widely available, high quality, affordable housing.

The Federal Housing Act helped to provide many new housing units. Other policies such as the mortgages secured and subsidized by the Federal Housing Administration and other government agencies enabled millions of Americans to purchase new homes. Some Americans, particularly African Americans, were excluded from that promise, a legacy that still structures inequality in housing today. Up until the 1940s, white homeowners could enforce restrictive covenants (in which African Americans could not purchase homes in all-white neighborhoods), and FHA loans disproportionately helped white potential homeowners since Blacks could not get access to loans outside of white neighborhoods. Real estate agents were allowed to discriminate against Black home buyers, and landlords could legally discriminate against Black renters.

In Green Bay, African American Packers players in the 1950s and 60s struggled to buy homes or even find rental housing in the city as a result of discrimination, and many could only access housing with the assistance of Coach Vince Lombardi.⁸

Because of rampant discrimination, housing became a major goal of the civil rights movement, both in Wisconsin and elsewhere. In 1966, for instance, Martin Luther King, Jr. led a movement to end housing discrimination in Chicago, facing intense resistance from whites in the city. As King explained that August, “I’ve been in many demonstrations all across the South, but I can say that I have never seen, even in Mississippi and Alabama, mobs as hostile and as hate-filled as I’m seeing in Chicago.”⁹

In Milwaukee, Catholic priest Father James Groppi led 200 days of marches to ensure Black Milwaukeeans had equal access to housing in a city one historian has called the “Selma of the North.”¹⁰ In 1966-67, prominent civil rights activists A. Philip Randolph and Bayard Rustin advocated a “Freedom Budget” that would have guaranteed every American a quality home, in part by putting unemployed Americans to work, by 1975.¹¹

King’s murder in 1968 in Memphis provided advocates in Congress with the leverage to secure passage of the Fair Housing Act, which allowed victims of discrimination to seek redress through the Department of Housing and Urban Development. In Wisconsin, numerous cities passed their own fair housing ordinances, including Green Bay in October.¹² These ordinances helped to stop overt discrimination, but as we noted above, substantial inequality in the housing market has grown since this time.

Though there are other arenas in which we could find thinkers making the case for the right to housing, including both Jewish and Islamic teachings, which each assert that all people have the right to housing as a broad moral claim to live in dignity,¹³ the Commission would also like to point out the long-standing position of the Catholic church on the right to high-quality, affordable housing.

Pope Leo XIII’s Encyclical from 1891, for instance, pointed out that “Justice, therefore, demands that the interests of the working classes should be carefully watched over by the administration, so that they who contribute so largely to the advantage of the community may themselves share

⁸ Richard Ryman, “Black Players on Green Bay Packers’ 1960s Championship Teams Lauded, But Faced Discrimination,” *Green Bay Press Gazette*, Aug. 2, 2018.

<https://www.greenbaypressgazette.com/story/news/2018/08/02/black-packers-players-1960-s-faced-discrimination-green-bay-lombardi-housing-racism/774591002/>

⁹ Cheryl Corley, “50 Years Ago, Martin Luther King Jr. Fought for Open Housing in Chicago,” *National Public Radio*, Aug. 29, 2016. <https://www.npr.org/2016/08/29/491848087/50-years-ago-martin-luther-king-jr-fought-for-open-housing-in-chicago>

¹⁰ Patrick Jones, *The Selma of the North: Civil Rights Insurgency in Milwaukee* (Cambridge, MA: Harvard University Press, 2009).

¹¹ A Philip Randolph and Bayard Rustin, “A Freedom Budget for all Americans,” 1965.

<https://www.theatlantic.com/magazine/archive/2018/02/a-freedom-budget-for-all-americans-annotated/557024/>

¹² Greg Lutz, Jon Shelton, and Joseph Taylor, “Civil Rights in Titledown: Green Bay’s Open Housing Ordinance of 1968,” *Voyageur: Northeast Wisconsin’s Historical Review*, Winter/Spring 2019, 22-29.

¹³ “Housing Security,” *Jews United for Justice*, <https://jujf.org/our-work/issue-campaigns/housing-dc/>.

in the benefits which they create-that being housed, clothed, and bodily fit, they may find their life less hard and more endurable.”¹⁴

The Second Vatican Council’s *Gaudium et Spes: Pastoral Constitution on the Church in the Modern World* (1965), pointed out that “...there is a growing awareness of the sublime dignity of human persons, who stand above all things and whose rights and duties are universal and inviolable. They ought, therefore, to have ready access to all that is necessary for living a genuinely human life: for example, food, clothing, housing, the right freely to choose their state of life and set up a family, the right to education, work, to their good name, to respect, to proper knowledge, the right to act according to the dictates of conscience and to safeguard their privacy, and rightful freedom, including freedom of religion.”¹⁵

More recently, Pope John Paul II’s *Sollicitudo Rei Socialis* (“On Social Concern”) (1987) pointed out that “The lack of housing, an extremely serious problem in itself, should be seen as a sign and summing-up of a whole series of shortcomings, economic, social, cultural or simply human in nature.” Finally, Pope Francis’s *“Laudato Si”* (2015), forcefully asserted that “Lack of housing is a grave problem in many parts of the world, both in rural areas and in large cities, since state budgets usually cover only a small portion of the demand. Not only the poor, but many other members of society as well, find it difficult to own a home. Having a home has much to do with a sense of personal dignity and the growth of families.”¹⁶

The moral argument for the right to housing, stemming from both American political thought and moral authorities such as the Catholic church, is clear. Fulfilling the American promise of opportunity is the most important rationale for committing, in the short-term, to more resources for renters and potential renters to navigate a difficult market, and in the long-term, to prioritizing investment in more affordable housing.

But focusing on equal housing opportunity also makes good economic sense. As the *City of Green Bay’s Housing Market Study from October 2020* points out, “If there is not lower cost housing available for workers, they are less likely to stay in Green Bay, or come to the city. Having the housing workers at these employers are looking for is essential to the vitality of Green Bay’s economy” (15).¹⁷ In other words, if we want to retain our place as one of the ten best cities in which to live, we *must* ensure everyone’s right to high quality affordable housing is upheld, in spite of the headwinds we face from both national trends and restrictive state legislation.

¹⁴ *Rerum Novarum: Encyclical of Pope Leo XIII on Capital and Labor* (1891) <https://www.cctwincities.org/wp-content/uploads/2015/11/Rerum-Novarum.pdf>

¹⁵ Second Vatican Council, *Gaudium et Spes: Pastoral Constitution on the Church in the Modern World* (1965) <https://www.cctwincities.org/wp-content/uploads/2015/10/Gaudium-et-Spes-Pastoral-Constitution-on-the-Church-in-the-Modern-World.pdf>

¹⁶ Pope John Paul II, *Sollicitudo Rei Socialis* (1987) https://www.vatican.va/content/john-paul-ii/en/encyclicals/documents/hf_jp-ii_enc_30121987_sollicitudo-rei-socialis.html. Encyclical Letter, *Laudato Si of the Holy Father Francis on Care for Our Common Home* (2015). https://www.vatican.va/content/francesco/en/encyclicals/documents/papa-francesco_20150524_enciclica-laudato-si.html

¹⁷ Green Bay, WI, *Housing Market Study: October 6, 2020 FINAL*.

Following in the line of these thinkers—both secular and religious—as well as our city’s own history, we call on the Mayor’s Office and the City Council to prioritize equal opportunity to housing as a fundamental task over the next decade in Green Bay, to treat access to high-quality, affordable housing as a right everyone should enjoy and to enact policy accordingly. In Sections IV, V and VI we offer immediate, intermediate, and long-term suggestions for action, respectively.

III. Findings of the Equal Rights Commission

After studying the findings of several reports on the growing shortage of housing the city, the Equal Rights Commission held a series of public hearings in 2022. We sought to study the question of housing particularly from an equity lens: to determine how particular groups in the city might struggle to access their right to high-quality, affordable housing. The commission heard powerful testimony from organizations that work with vulnerable renters and prospective renters.

Over the course of these hearings, we discovered the following barriers that vulnerable groups faced in accessing their right to housing:

Green Bay residents, across the spectrum of identity, struggle to secure and maintain high-quality affordable housing. It is clear, given the broader dynamics of income inequality in the US, in-migration to Brown County, the excessive power provided them by recent state legislation, and the shortage of new sources of affordable housing, landlords hold an inordinate amount of power in the rental market. We heard from numerous representatives of different non-profit groups in Green Bay about the ways their clients struggled to find housing, and in many cases, to get landlords to take care of maintenance issues. Of course, this does not mean there are not many good landlords in Green Bay, only that some landlords are able to take advantage of their relative power in the market.

For instance, it has become increasingly common, as we heard from representatives from COMSA (Community Services Agency, Inc.) for large rental companies, some based outside Green Bay, to purchase apartment complexes and either dramatically increase the rent or terminate existing lease agreements, pricing many Somali families either out of the market (seeking substandard housing elsewhere) or leaving the community entirely.

As Beth Hudak, Director of Outreach for House of Hope put it, in spite of an overall successful rate of placing families experiencing homelessness in the Green Bay area, they quite simply “need more places to put people.”

Further, there appears to be widespread discrimination against renters who, because of poverty or exigent circumstances such as intimate partner violence, require Section 8 vouchers to pay their rent. Wisconsin fair housing law prevents discrimination based on source of income, including a “voucher having monetary value.”¹⁸ But as Erika Villacrez, the Housing Director of NEW CAP, pointed out, though many landlords technically accept Section 8 Vouchers, they only do so

¹⁸ Department of Workforce Development, “Wisconsin’s Fair Housing Law and Complaint Process.” <https://dwd.wisconsin.gov/er/civilrights/housing/complaintprocess.htm>

if the prospective tenant can pay three times or more of the monthly rent upfront, effectively locking renters of limited means out of accessing a substantial portion of housing (in most cases, if a renter had access to that much savings, they would be ineligible for Section 8).

Single mothers, particularly victims of intimate partner violence, struggle to secure safe, high-quality affordable housing as they transition from temporary shelter facilities. This issue is particularly distressing since families recovering from such violence need even more stability than the average family. Unfortunately, a rental market heavily weighted toward landlords allows some to ask for outrageous fees and deposits up front while consistently leveraging the threat of eviction to prevent women from advocating for their own safety.

As Amanda Amon-Brellenthin, Rapid Rehousing Program Manager at the Golden House explained, landlords often ask for three times the rent up-front before renting to the organization's clients, and when victims of domestic violence move in, landlords often threaten eviction if the police are ever called to their apartment. This leaves women in a highly vulnerable position if their former partner attempts to threaten, intimidate, or assault them, since they fear eviction and their children not having a place to live.

This also extends to issues with landlords performing needed maintenance. Amon-Brellenthin told us about landlords who does not respond to entreaties from either the tenant or from their advocate in Golden House. In one case, a landlord did not respond to over 30 polite emails and texts to get basic maintenance issues taken care of. The tenant (and Golden House) feared eviction if they reported the landlord to the city. This is on top of the fact that victims of domestic violence are often not able to talk to landlords during their abuse and are even more vulnerable. To have landlords treat vulnerable people in this way is particularly distressing.

LGBTQ youth struggle to find quality affordable housing. [LGBTQ Americans are twice as likely as other Americans to experience homelessness](#), and this struggle often begins in youth. [Young LGBTQ people \(between the age of 18-25\) are also twice as likely to experience homelessness](#).¹⁹ This struggle is particularly acute, as we heard from House of Hope, for LGBTQ youth under the age of eighteen, who may have been cut off by their family for being gay or transgender. Youth in this situation can access shelter (such as House of Hope), but because of Wisconsin law which bars anyone under the age of eighteen from entering into contracts, youth who are estranged from their families are unable to find permanent housing.

Once LGBTQ youth reach 18 years of age, however, they may still struggle to find housing since they may have been forced to leave their family home and have limited means to secure their own place to stay. As we learned from Nicole Kurth of the Pride Center at UWGB, without year-round housing at UWGB, many students would be homeless since their parents do not accept their sexual orientation or gender identity.

¹⁹ UCLA School of Law Williams Institute, "Homelessness Among LGBT Adults in the US," May 2020. <https://williamsinstitute.law.ucla.edu/publications/lgbt-homelessness-us/>; Matthew Morton, Amy Dworsky, and Sonali Patel, "LGBTQ Young Adults Experience Homelessness at More than Twice the Rate of Peers," <https://www.chapinhall.org/research/lgbtq-young-adults-experience-homelessness-at-more-than-twice-the-rate-of-peers/>

A major challenge for trans youth at temporary shelters, as we also heard from Kurth, is that shelters often will not let them stay if their gender identity does not conform with the preconceived notions of those running the shelter.

For LGBTQ youth who graduate, finding safe housing can still be a struggle. Young LGBTQ folks often feel vulnerable living in a space where they may be targeted for their orientation or gender identity, and this adds a challenge to the already significant challenge other renters face in terms of affordability.

African Americans continue to struggle to find safe, affordable housing. Virtually every organization we spoke to referred to the disproportionate number of minority families with whom they work (very much in line with city wide reports we referenced in the first section above).

For African American families, the struggle is particularly acute. As Chair Yang and Vice-Chair Shelton learned from a conversation with the staff of We All Rise: African American Resource Center, Black renters “live by a different set of rules.” Fear of eviction is constant, as Black renters are targeted by landlords for ordinary activities such as hosting barbecues and playing music. A call from a neighbor to the police, even if it does not lead to a citation, often leads to a landlord considering eviction or biases a future landlord from renting since the incident, and identifying information, can still end up in the public record on Green Bay Crime Reports. Indeed, disproportionate, unwarranted surveillance by landlords combined with disproportionate, unwarranted surveillance by the police seriously limits many African American families’ rights to safe, affordable, high-quality housing in Green Bay.

African American residents of Green Bay are disproportionate victims of problematic policies, too. For example, it has become increasingly common for African American teenagers, whose name ends up on a lease when they are a minor, to end up with an eviction on their record if a parent gets evicted once the teenager becomes an adult. This eviction can go on their record even if they no longer live at the residence, and it still seriously limits the number of landlords willing to rent to them in the future.

In addition, as We All Rise staff reported, landlords continue to ask renters, many of whom are African American, to show up for court-mandated mediation even after they have paid up their rent, in order to avoid eviction. Even though the renter is not actually evicted, they still end up with a record that future landlords can use to discriminate against that renter.

Immigrant and refugee families, particularly those with large numbers of children, struggle to find safe, affordable housing.

As we heard from NEW CAP, many of the city’s Hispanic/Latino/Latinx immigrants live in a few specific areas in the city (Green Bay’s *Impediments to Housing* study in 2019 pointed out that one census tract is comprised of about 40% Hispanic residents), and both income level and language barriers appear to close off options to housing elsewhere for many of these immigrants in Green Bay.

Indeed, we heard in our hearings how language barriers limited both the Hispanic/Latino/Latinx and Somali families' abilities from advocating for themselves in the marketplace as well as they could. For immigrant and refugee communities in particular, the lack of affordable housing for larger families is a significant challenge to accessing safe, high-quality options. As we heard from Said Hassan, Executive Director (and also ERC commissioner) and Adan Hurre, Program Director, from COMSA, immigrant families struggle to find and retain good housing, both because of overall rent increases, especially after COVID, and because of landlords' unwillingness to accept Section 8 vouchers. For families who are fortunate enough to find housing, they often do so at the expense of other important necessities. As Hurre pointed out, immigrant families are likely to forego food before missing rent payments.

Indeed, Somali immigrants desire to stay in Green Bay but often leave, in particular to the Twin Cities, as their families increase in size and they cannot find three-, four-, or five-bedroom rentals. Of course, this is a major missed opportunity for employers in Green Bay. As Hurre put it, Green Bay is a "great place" to live but it can be difficult to retain Somali families because they do not have space in our city.

As Maria Plascencia, Board Member for CASA ALBA Melanie pointed out, CASA ALBA Melanie struggles to find permanent housing for refugees from Nicaragua, Honduras, Congo, and Afghanistan. She pointed out the discrimination they often meet from landlords, particularly as a result of language barriers, and their inability to get things fixed when they are able to secure housing. They also fear eviction if they complain, even if they ask politely for maintenance. She also confirmed, as we have heard from other constituency groups, that landlords often ask for three times the first month's rent from immigrant and refugee families.

Lack of housing for large families is not restricted to immigrants and refugees, however: Both Beth Hudak from House of Hope and Jen Schmo from Freedom House also spoke to the necessity of more 3-5 bedroom rentals that are affordable.

It seems clear that, in addition to the broader shortage of housing impacting the entire city, some groups in particular are struggling with the increased power this has given landlords in the rental marketplace.

IV. Immediate Recommendations

As we have shown, securing safe and affordable housing is a right that is necessary to the fulfillment of the American promise of life, liberty, and the pursuit of happiness. It is fundamental in the trajectory of our city and of our residents' quality of life, and it is necessary for our employers to have the workforce that they need to thrive. In the next three sections we offer a series of recommendations: a set of immediate recommendations that the city can implement with very little planning and limited resources, intermediate recommendations that would require more resources and a longer time horizon, and a set of long-term recommendations we believe city administrators and city council representatives should keep in mind as they build for the future.

It is important to note that we are not starting from scratch. The city administration, particularly under Mayor Eric Genrich, has taken important steps already to improve residents' access to affordable housing. We note these steps below when relevant.

If housing is a right, the most obvious thing for the city to do is to educate the public that housing for everyone is a priority, to educate landlords about their responsibilities, and to educate tenants about their rights.

We have heard from numerous people about the necessity of educating landlords about their responsibilities. We believe this is important, and members of the ERC would be more than happy to attend the trainings for landlords the city already holds. We would also like to see the city administration include findings from this report in their training sessions. Nevertheless, given the significant power landlords have in the market and the increased legal protections landlords have won through state legislation in the past decade, we believe that a more important avenue is to put greater effort into ensuring that tenants understand their rights, and for the city to work closely with non-profit advocates to advance this knowledge. As we heard from one representative in our hearings, "It feels like there are no tenant rights...the majority of people we work with, they don't know their rights. If they don't know their rights, it is easy for landlords to take advantage of them."

As we learned in one of the hearings, the city has a part-time housing investigator, but it seems that much of the public, including many of the groups who directly work on housing, do not know about it. The state also has a Fair Housing Council, and [there is a satellite office in Appleton](#). This is a valuable resource for tenants, but although the resource is listed on the city website, it seems very likely that many tenants do not know about it. As the Corporation for Sustainable Housing Blueprint (2021) explains, according to Wisconsin fair housing law, landlords cannot refuse to rent or refuse to renew a lease because someone uses a Section 8 voucher. (42). The city's equal rights ordinance (which charged our commission) also provides specific protections from non-discrimination to a number of protected classes.

We should begin by helping all of Green Bay's citizens understand their above rights as tenants. The city routinely holds trainings for landlords, and the city, in partnership with GBPD and Legal Action of Wisconsin, recently began holding trainings for tenants. The city should continue this work, expanding the number of training sessions and working directly with service providers to ensure tenants know about it. The city should also meet tenants where they are. Neighborworks has published a [helpful resource guide for renters and landlords in Brown County](#). The city should work with service providers to ensure this guide is kept up to date and disseminated to tenants, particularly those from marginal communities. And, importantly, this guide should be translated into Spanish, Somali, Hmong, and other languages to fit the needs of in-migrants to our region.

The city should also consider deepening existing support for tenant advocacy. Currently, the city contracts with six housing inspectors and one residential housing investigator. They also contract with the Fair Housing Council, which is based out of Milwaukee. But there is more the city can do to help shift the balance of power away from landlords. For starters, the city should

ask the Fair Housing Council to do a fair-housing audit of the city to determine systematically to what extent discrimination restricts opportunities for equal housing in the city.

The city should also consider hiring a full-time housing investigator (right now that position is part-time) and/or working with a local organization that is able to work directly with local populations who might be wary of having to call an office in Milwaukee to make a complaint about discriminatory actions. These positions can be funded through federal block grant dollars.

If we are serious about upholding all of our citizens' rights to affordable, safe housing, we should commit more support to it, and more accessible, local support. As we learned in our hearings, many of the folks who struggle the most to secure housing are our city's most vulnerable, the most likely to be unaware of their rights, experience language barriers, and suffer from the stigma of domestic violence. Many of the representatives we spoke to supported the notion of increased tenant advocacy and the Commission reiterates the necessity of ensuring much of the advocacy is inclusive of different languages spoken in our Green Bay community.

V. Intermediate Recommendations:

The following recommendations are intermediate recommendations. They would require action by the city council or some other community group but would not require a significant amount of expenses.

As we've documented, one of the most significant factors leading to unequal access to housing in our city is the lack of housing and the increased leverage that gives to landlords.

First, as we noted above, we support landlord training and education programs around how to work with minorities and low-income renters. Based on what we learned during our hearings, there is a need to emphasize both appropriate and inappropriate behavior displayed by landlords within Green Bay. **We believe the city should develop a certification program to publicly praise landlords that deal fairly with tenants and prospective tenants and to communicate to the public about which ones do not.** We believe city administration is the appropriate institution to complete this work. If the city is unwilling or unable to do it, however, we recommend a citizen's committee create their own list so we can steer renters toward fair landlords and away from unfair ones. We also believe that such a certification program could be tailored toward the needs of distinct underserved groups, such as a certification for immigrant and refugee-friendly or LGBTQ-safe landlords.

Relatedly, we think the city could outlay a specific amount of funding to pay for necessary repairs to rental units when landlords refuse to make sure necessary repairs occur. The city already does this when a property is declared a "public nuisance" and the city landlords gets billed. But we should extend this possibility to renters who struggle to get landlords to make reasonable repairs. A program of this kind would entail a method for tenants to document the landlord's refusal to take appropriate action. The city could then make those repairs, and then bill the landlord.

Finally, we wish to endorse a specific recommendation from the City of Green Bay’s housing study from 2019, for significant zoning reform, to increase the city’s affordable housing stock. As the report pointed out: “The City should amend the Comprehensive Plan and its Future Land Use Map to add policies that increase the supply of affordable housing for families in all areas and neighborhoods in the City. The City should incentivize the development of a mix of housing types and price points in areas without concentrations of low income and minority households. This could include the identification of High Opportunity Zones (areas with employment opportunities, high performing schools, green space, access to transit, etc.). where new affordable units are specifically encouraged and Low Opportunity Zones where new affordable units are specifically *discouraged*.” (58). The commission has learned that the city administration is actively working to support this reform. Though this reform will not be sufficient to ensure everyone in Green Bay has access to safe, affordable housing, it is a budget-neutral reform that the city council could enact very soon.

VI. Long-term recommendations

Many recent reports on the shortage of housing in Green Bay (and elsewhere) have called for incentives for landlords and developers to improve existing housing stock and build new housing stock. The city of Green Bay, including the Redevelopment Authority and other entities, has done good work to incentivize these initiatives, effectively subsidizing private capital. In spite of these efforts, however, it is clear that focusing first and foremost on the profits of investors and developers, with affordable housing stock as an ancillary investment, is unlikely to ensure our city’s residents right to safe, affordable housing.

As the Green Bay housing study from 2020, pointed out, “There is a significant gap at the very bottom of the rental market, an undersupply of 3,715 units for those at 30% or less median income” (23). The scale of this problem is so significant that incremental measures that largely focus on higher-end housing will not solve it. Simply put, we cannot use magical thinking in the hope that incentivizing developers whose primary interest is profit will ensure everyone has equal opportunity to safe, affordable housing. **If we truly see housing as a human right, and a necessity if the city is going to have an engaged citizenry and a workforce that is supported and committed to working right here in Green Bay, we must prioritize the production of affordable housing in the public investments our city makes moving forward.** To do anything else would be averse to the American promise of life, liberty, and the pursuit of happiness.

There are numerous ways to invest in housing that foregrounds the need for affordable housing.

First, when developers create more housing, we believe they should be required to create a minimum number of affordable units. We strongly urge the city to pass an affordable housing ordinance modeled on [Bloomington, Minnesota’s Opportunity Housing Ordinance](#). Though there is plenty of room for variation with a potential Green Bay ordinance, we see Bloomington’s requirements as a thoughtful starting point: “*New residential construction, regardless of type of dwelling unit.* For newly constructed, converted, or infill multi-family or townhome residential developments with 20 or more newly created units, at least 9% of the newly created units must be affordable to households at or below 60% of AMI [Area Median

Income]. For newly constructed or infill single-family detached residential developments with 20 or more newly created units, at least 9% of the newly created units must be affordable to low-income family households up to 115% AML.” City administration is already in the early stages of proposing a version of this ordinance in Green Bay. We endorse this effort and urge the city to consider a version with an even higher threshold of affordable housing than Bloomington’s ordinance.

There also needs to be an accountability measure in any ordinance passed in Green Bay that ensures that landlords do not discriminate against those who are renting affordable housing units.

Second, according to the Green Bay 2020 housing study, there were 45 parcels owned by the city that are considered “vacant residential properties.” (p. 59). **The city should continue to prioritize the use of that land to build as much new affordable housing as possible, and acquire, including the possibility of creating additional temporary housing for people experiencing homelessness.** (It might be necessary to enact zoning reform, as we outlined in the above section).

We believe the city should explore the creation of a community land trust for part of these parcels, or for other parcels the city acquires. This idea, which allows more residents on the lower end of the income spectrum to purchase housing, effectively subsidizes housing because the city owns the land on which the house is built while the resident owns the house and benefits from any improvements they make when they sell it. In exchange, the owner agrees to sell the house at a restricted price so that it remains affordable.²⁰ The city, in partnership with Neighborworks and Habitat for Humanity, are exploring this possibility already. We strongly endorse this possibility.

We strongly believe the city should continue and expand efforts to proudly and directly subsidize homeownership for low-income buyers. The City works with developers to subsidize often needed gap funding for the construction of larger housing developments through Tax Increment District Affordable Housing Funds, ARPA and HOME funding. The City also encourages affordable single-family homeownership by partnering with non-profits such as NeighborWorks GB and Habitat for Humanity in land donations and providing HOME funding subsidies which in turn allows for the construction of new affordable housing. In late 2022, the City of Green Bay launched the Great Being Home Program, which provides \$10,000 in down payment assistance to a limited number of first-time home buyers. This program is an excellent addition to the existing programs being offered to open up more housing in the city on an affordable basis. There are limits, however: one being workers only qualify for the assistance if they work for the City of Green Bay, or for a Green Bay headquartered non-profit or business with less than 25 employees. For employees of larger companies, they are reliant on the company to offer half of the funding. Although there is additional down payment assistance funding available directly through NeighborWorks GB, the City should continue to seek out other funding sources to provide the greatest opportunity to lower income homebuyers who need additional support in the purchase of a house. Continuing to fund this program with a special emphasis on affordability is essential.

²⁰ “Community Land Trusts,” *Grounded Solutions Network*. <https://groundedsolutions.org/strengthening-neighborhoods/community-land-trusts>

Finally, the city should directly create and manage affordable rental units, using creative sources of funding, including private contributions from large employers. The Green Bay Housing Authority already administers public housing; we call for substantial new investments by the city in public housing—that the authority could manage—moving forward.

To put it simply, we often provide significant tax expenditures to developers and investors to build more housing; we should be able to spend more directly on housing for those who lack access. Given all that we’ve relayed in this report, we should treat the lack of safe, affordable housing as the emergency that it is.

We understand that city resources are limited, but we do recommend using additional resources, in the long term, to invest in creating high-quality, affordable housing for everyone in our city, whether that is through increased property tax revenue or tax increment financing.

Immediately, however, we believe city administration and city council should explore every potential funding stream and direct these sources toward ensuring the right of all of our residents to housing. We suggest immediately using any remaining ARPA fund dollars as a down payment on some of these programs. We also endorse a proposal offered by the Green Bay housing study from 2020, for an affordable housing trust fund that would represent “a general purpose funding vehicle that can serve various affordability initiatives anywhere in the City. This can be used for matching funds, land purchase, new construction, renovation, and down payment assistance. Funds could come from the TIF Affordable Housing One-Year Extension, general obligation bonds, sale of surplus land, general fund budgeting, and private contributions.” (83) We might add that “private contributions” could include large employers who are concerned with retaining workers in our city.

One potential source of funds to help jump start such a trust fund could be the Wisconsin Housing and Economic Development Authority. As the 2021 Greater Green Bay Blueprint points out, one area ripe for exploration is to examine how WHEDA “is currently administering Housing Trust Funds (HTF), and if there are any potential changes that could be made to bring more HTF resources to the Greater Green Bay Region.” (39)

Conclusion

To reiterate the basic premise of our report, access to high-quality affordable housing is a right all Americans should enjoy. If Green Bay is going to continue to be an excellent (and even better and more inclusive) place to live, we must ensure that every resident of our community enjoys this right. We understand the dramatic changes that will be necessary to get to this place, but Green Bay is a community poised to do it. We look forward to working with the Mayor’s Office and the Common Council to secure these rights.