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NAACP San Diego Branch and San Diego Tenants Union Declare Victory in Segregation Lawsuit Against San Diego Housing Commission

SAN DIEGO—NAACP San Diego Branch and San Diego Tenants Union have declared victory in their long-standing legal battle against the San Diego Housing Commission.

“For far too long, rental units in white, low-poverty San Diego neighborhoods have been inaccessible to Section 8 voucher holders – primarily Black and Brown families,” said Brian Bonner, NAACP San Diego Branch President. “Until now, the Housing Commission’s payment standards policy had the same effect of redlining, and we refused to stand idly by because segregation harms everybody.”

“We filed this lawsuit to stop the Housing Commission’s policy and practice of setting payment standards in white, low-poverty neighborhoods significantly further below market rent than in other areas of the city,” stated Rafael Bautista, San Diego Tenants Union lead. “Today, we celebrate victory because our tenant-led effort resulted in a fundamental change to the manner in which the Housing Commission sets payment standards. This will stop the perpetuation of segregation in the Section 8 program and is a victory for all who believe in justice.”

“This is the kind of reform that is necessary to give families in the Housing Choice Voucher program a real ‘choice’ and start to break down patterns of segregation,” said Philip Tegeler, Executive Director of the Washington DC-based Poverty & Race Research Action Council. “California families with vouchers are already protected from discrimination by law, but if your voucher is too low to pay the rent, you can’t even get in the door.”

“Where we live has a lasting impact on all aspects of our lives,” stated Deborah Thrope, Deputy Director of the National Housing Law Project (NHLP). “NHLP applauds this tenant-led effort that opened the door for voucher families to live in communities of their choice in San Diego. All families deserve access to neighborhoods with quality jobs, reliable transportation, and high performing schools, and we are proud to stand with these tenants who made it possible for themselves and other families with vouchers to do so.”

Plaintiffs NAACP San Diego Branch, San Diego Tenant Union, and Darlisa McDowell filed their civil rights lawsuit in San Diego Superior Court in March 2019. The complaint, filed by lead attorney Parisa Ijadi-Maghsoodi, alleged that the Housing Commission “set payment standards and enforced payment standard policies in a way that perpetuated racial segregation and the concentration of poverty in the Section 8 program.”

“The case was set for trial this summer but will not be proceeding to trial because the Housing Commission capitulated by making a fundamental change that constituted the precise relief Plaintiffs sought through their lawsuit,” states Ijadi-Maghsoodi. That change was aligning payment standards with HUD’s Small Area Fair Market Rents, a method Plaintiffs described in detail in their lawsuit. The Housing Commission’s recently-resigned former CEO repeatedly publicly described this Obama-era method as “social engineering.”

“I am proud to be a part of this effort to bring about fundamental change to the voucher program and to have helped secure a result which will allow voucher families greater choice in where they live,” states attorney James D. Crosby, co-counsel for Plaintiffs and the 2022 recipient of San Diego County Bar Association’s “Outstanding Attorney of the Year” award. “It will give families improved access to better neighborhoods and greater opportunities. It’s a very good result for a lot of good people and for the city of San Diego.”

While NAACP San Diego Branch and San Diego Tenants Union accomplished the objective of their lawsuit, they have no plans to slow down their housing justice work. “We are on a mission to educate families – especially families with school-age children – about this hard-fought change to ensure families can get settled in the neighborhood of their choice before the start of the next school year,” said Bonner.

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