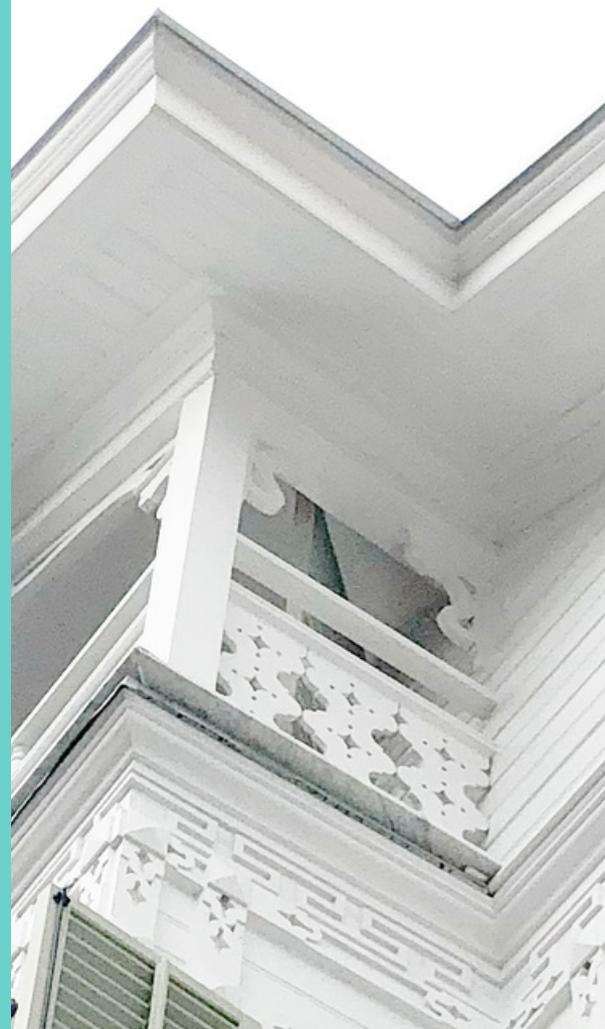


# Gender Biases in Neighborhood Development

May 7, 2022

**MIAMILAW** Human Rights  
UNIVERSITY OF MIAMI SCHOOL OF LAW Clinic

*Lotus House* where hope blossoms  
sundari foundation, inc.



# Acknowledgements

This report was drafted by Reem Ali, a legal intern at the Human Rights Clinic of the University of Miami School of Law, under the supervision of the Clinic's Acting Director, Tamar Ezer, in collaboration with the following Lotus House staff: Constance Collins, President & Executive Director; Shameequa Buxton, Research and Public Education Director; Gabriela Saenz, Research, Policy, and Public Education Coordinator; and Grettel Jimenez, Director of the National Women's Shelter Network, who provided valuable review and guidance on this report. Reem Ali further provided graphic design for this report.

# TABLE OF CONTENTS

<b>I. INTRODUCTION.....</b>	<b>1</b>
<b>II. ANALYZING GENDER BIAS IN NEIGHBORHOOD DEVELOPMENT FROM A HUMAN RIGHTS PERSPECTIVE.....</b>	<b>3</b>
<i>A. Gender Disparities in Access to Property and Financing.....</i>	<b>5</b>
<i>B. Gender Barriers to Participation in Neighborhood Development Meetings.....</i>	<b>6</b>
<i>C. Gender Inequalities Perpetuated by Single-Family Zoning.....</i>	<b>8</b>
<i>D. Gender-Based Violence and Housing Policy.....</i>	<b>9</b>
<b>III. COMPARATIVE ANALYSIS.....</b>	<b>10</b>
<b>IV. RECOMMENDATIONS.....</b>	<b>11</b>
<b>V. ENDNOTES .....</b>	<b>12</b>

# I. Introduction

In the United States (U.S.), housing has been a historically contentious issue, marked by disparities. The Fair Housing Act (FHA) was passed on April 11, 1968, following a housing crisis in the U.S. after the Vietnam War.[1] The FHA was created to help the families of the fallen young, poor, Black, and Hispanic soldiers, who were barred from living in certain neighborhoods because of their race.[2] In 1988, Congress passed the Fair Housing Amendments Act, adding disability and family status to the list of protected classes.[3] Examples of discrimination against family status include not renting to pregnant women or families with children under 18.[4]

As of today, the FHA prohibits housing discrimination based on race, color, national origin, religion, sex, familial status, and disability.[5] In addition to the FHA, the U.S. Department of Housing and Urban Development (HUD) has passed the Equal Access Rule, requiring equal access to HUD programs regardless of a sexual orientation, gender identity, or marital status.[6] A landmark U.S. Supreme Court case, *Bostock v. Clayton County*, further solidified these rights by finding that sex discrimination includes protection from discrimination for LGBTQ people under federal law.[7] In February 2021, the Florida Commission on Human Relations followed suit and affirmed that Florida's state laws prohibiting discrimination based on sex includes LGBTQ people.[8] Currently, Virginia and Florida are the only two Southern states that explicitly protect LGBTQ people from housing discrimination.[9] Lately, there has been a sharp rise in anti-LGBTQ bills across the country. In 2018, 41 were filed across the state, and in 2022, 238 were filed. Most of these bills have been targeting trans people.[10]

Despite the steps taken by American federal and state governments to prohibit discrimination based on sexuality and gender, housing in America contains deep gender-based disparities. In fact, single women and mothers with children are the two fastest-growing groups of people experiencing homelessness in the U.S.[11] In Florida, family households make up 8% of the homeless population.[12]

**Across the nation, families account for 37% of the homeless population.[13]** Women make up 29% of the homeless population.[14] In Florida counties, such as in Duval[15] and Miami-Dade County,[16] single mothers are overrepresented as the head of homeless households. As stated by Matthew Desmond in his book *Evicted*, **“children didn’t shield families from eviction; they exposed them to it.”[17]**

This, however, is not by accident, but rather a result of women’s systemic exclusion from the housing development process. In 1839, Mississippi was the first state to grant women the right to hold property in their own name, although they still needed permission from their husbands.[18] By 1900, every state passed legislation that granted married women control over their property.[19] However, housing and credit discrimination based on sex was not prohibited under federal law until 1974.[20] As the former Special Rapporteur on Housing, Leilani Farha, put it, **“Despite the fact that, worldwide, women are the primary users of housing and thus most affected by housing, women have been excluded from virtually every aspect of the housing process from policy development, planning and design, ownership, construction, and even housing movements.”[21]**

In the U.S., women have historically been excluded from the housing process through disparities in access to property and financing, barriers to participation in neighborhood development meetings, inequalities perpetuated through single-family zoning, and gender-based violence. This memo will analyze the human rights impacted by U.S. housing policies, focusing on these four issues, and will provide recommendations on addressing violations.

# II. A Human Rights Perspective on Gender Bias in Neighborhood Development

The rights to non-discrimination and equality, housing, and an adequate standard of living are central human rights implicated by gender inequalities present in U.S. housing policies. These rights have their basis in the Universal Declaration of Human Rights (UDHR)[22], the foundational document of the international human rights system. Some parts of the UDHR are binding customary law.[23] Additionally, these rights are codified in the International Covenant on Civil and Political Rights (ICCPR),[24] the International Covenant on Economic Social and Cultural Rights (ICESCR),[25] and the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW).[26] The U.S. has both signed and ratified the ICCPR, meaning it has an obligation to “promote the realization of the right of self-determination, and shall respect that right.”[27] However, the U.S. has signed but not yet ratified ICESCR or CEDAW, meaning it is obligated to “refrain, in good faith, from acts that would defeat the object and the purpose of the treaty.”[28]

UDHR recognizes the right to non-discrimination and equality in Article 7, stating that “all are equal before the law and are entitled without any discrimination to equal protection of the law,” and are entitled to protection against discrimination. [29] Additionally, ICCPR Article 26 states that “all persons are equal before the law and are entitled without any discrimination to the equal protection of the law.”[30] Therefore, the U.S. must “prohibit any discrimination and guarantee to all persons equal and effective protection against discrimination on any ground such as... sex.”[31] Finally, the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) focuses on ensuring women’s equality throughout the globe.[32] While under U.S. law, one must generally show discriminatory intent to prevail on a discrimination claim,[33] **international human rights law is broader and requires states to address disparate impact.** [34]

Additionally, as the Human Rights Committee (HRC), which monitors implementation of the ICCPR, explained, “the principle of equality sometimes requires States parties to take affirmative action in order to diminish or eliminate conditions which cause or help to perpetuate discrimination prohibited by the Covenant.”[35] The Committee on the Elimination of Racial Discrimination (CERD) likewise called for States to adopt “special measures” “designed to secure to disadvantaged groups the full and equal enjoyment of human rights and fundamental freedoms.”[36] Thus, preferential treatment of a specific part of the population is not considered discriminatory, and in fact may be mandated by the right to equality, if aims to correct discrimination.[37]

Another human right violated by discriminatory U.S. housing policies is the right to adequate housing and standard of living. Both UDHR Article 25[38] and ICESCR Article 11.1 recognizes the right of everyone to an adequate standard of living for himself and his family, including adequate housing.[39] In its detailed explanation of the right to adequate housing, the Committee on Economic, Social and Cultural Rights (CESCR), which monitors implementation of ICESCR, lays out seven essential elements of the right to adequate housing: legal security of tenure, availability of services, affordability, habitability, accessibility, location, and cultural adequacy.[40] CEDAW Article 14.2 also affirms this right, stating that States shall take appropriate measures to eliminate discrimination against women to ensure women the right to “adequate living conditions, particularly in relation to housing, sanitation, electricity and water supply, transport and communications.”[41]

Overall, U.S. housing policies disparately impact American women, specifically seen in the gender disparities in access to property and financing, gender barriers to participating in neighborhood development meetings, gender inequalities perpetuated by single-family zoning, and gender-based violence.

# A. Gender Disparities in Access to Property and Financing

As an initial matter, women’s access to housing is limited by economic insecurity. Women constitute 67% of workers earning minimum wage in America.[42] In 2021, women earned only 83% of men’s earnings. Across every industry, men earn more than women on average.[43] On average, men have three times more retirement savings than women.[44] In addition, the COVID-19 pandemic has disproportionately affected women’s employment, with pandemic layoffs in March 2020 causing the female unemployment rate to increase to 16.2%, while the male unemployment rate was at 13.5%.[45] Women were also more likely to stop working during the pandemic than men, since they tend to take more responsibility in terms of child-rearing.[46] Transgender women also face economic disparities, as 47.7% of transgender people live below 200% of the poverty line, compared to 28.9% of the general population.[47]

Gender disparities in economic stability are exacerbated by racial dynamics, as women of color are more likely to live in poverty than white women.[48] Specifically, only 9.7% of white women live in poverty, while 21.4% of Black women, 18.7% of Latinas, and 22.8% of Native American women live in poverty. [49] The overlap of racial and gender dynamics of housing policy shows in the fact that Black women are twice as likely to have evictions filed against them compared to white tenants, which often precludes them from future housing opportunities.[50]



**67%**  
of minimum  
wage  
earners are  
women.

As stated by Matthew Desmond in his book *Evicted*, **“if incarceration had come to define the lives of men from impoverished black neighborhoods, eviction was shaping the lives of women. Poor black men were locked up. Poor black women were locked out.”**[51]

Historically, there has also been a lack of access to credit for women without men signing on. Until 1974, women could not get a mortgage without a co-signer.[52] The Equal Credit Opportunity Act was signed into law almost 50 years ago, making discrimination by lenders based on race, color, religion, sex, and marital status illegal.[53] Homeownership is one of the “biggest positive drivers of wealth creation” in the U.S., and women being left out of that process for most of history has left them far behind in terms of building independent wealth.[54]

These economic and racial disparities create obstacles for women by making them more likely to be renters than homeowners, increasing the risk of housing instability. Almost half of LGBTQ adults own their homes, compared to 70% of non-LGBTQ adults, making them more likely to rent and more susceptible to homelessness.[55] Florida has one of the highest rates of homelessness in the U.S. compared to other states, with 5% of the U.S. homeless population residing in Florida, only behind California (28%) and New York (16%).[56]

## **B. Gender Barriers to Participation in Neighborhood Development Meetings**

The dominant neighborhood development system in the U.S. is a big contributor to gender bias in neighborhood development. Currently, neighborhood development works under a public meeting system where advocates and opponents share their thoughts on a new development plan and ideally can share their views, and vote on the idea.[57] Neighborhood development mainly takes place from an urban planning perspective, which has significant ties to government functions and resources.[58] However, the same issues that plague the government apply to neighborhood development meetings, mainly that the participants of these meetings do not reflect the communities they are meant to serve.

Older, white males, who tend to be more likely to be homeowners than others, overshadow the rest of the community.[59] Studies have shown that most comments at public meetings oppose new housing developments because the incentives to show up and oppose new housing are stronger than the incentives to support it.[60] In addition, public meetings tend to be held at times of day that make it hard for people to attend without missing work and lack day care options.[61] Groups, such as single mothers, are excluded from the process because the system is not designed with them in mind. Many cities, such as Minneapolis, Pittsburgh, and Seattle, have begun to push back on this archaic neighborhood development system by creating new systems to make sure all members of the communities' voices are heard.[62] For example, these cities have implemented participatory budgeting processes, replaced Neighborhood Councils with Renters and Community Commissions aimed at providing more diverse voices in the neighborhood planning process. [63] Minneapolis took an entirely different approach to reorganizing meetings, by hosting festivals with games and mobile sites to help gauge community members' feedback to new developments.[64] All of these ideas help a more diverse pool of people engage in the neighborhood development process.

However, even though the current public participation framework is not perfect, it is still an avenue for the community to voice their concerns with developments. Cities like Miami have amended zoning laws to encourage development and streamline approvals, eliminating the need for public hearings and community participation.[65] Miami's new zoning law, called Miami21, to represent "bringing Miami to the 21st century," switched from traditional (Euclidian) to form-based zoning. Traditional zoning regulates areas depending on the activities and regulations associated with that activity, while form-based zoning allows mixed-use zoning and increased density with diversity of activities.[66] Miami21 eliminated the need for public hearings for new developments to make development easier.[67] Additionally, Miami21 created Special Area Plans that allow parcels that are nine acres or larger in size to forgo normal zoning laws and provide developments free reign to dramatically change the character of neighborhoods.[68] Community involvement is important to regulate development and make sure affordable housing is accessible.

## C. Gender Disparities Perpetuated by Single-Family Zoning

Single-family zoning, which limits construction on certain land to only single-family homes, further results in gender inequalities in housing.[69] Single-family zoning began as a racist project to maintain high prices and racial exclusivity within certain neighborhoods and has a disparate impact on women as well. [70] Today, across the U.S., **75% of land is zoned for single-family homes**, meaning that duplexes and apartment complexes cannot be built on that land. [71] As a result of these land-use restrictions, operations that could be considered businesses, such as in-home child care, are either banned or heavily impeded.[72] This land-use restrictions harm women who rely on in-home child care to work and those who provide in-home child care services, which for many low-income women is their only source of childcare.[73] However, in-home child care services have the potential to be lower quality than professional childcare. There should be a universal standard of high-quality, professional childcare.

Additionally, single-family zoning makes it harder for women to afford housing by keeping prices high and limiting the supply of affordable housing. Single-mother families comprise 71% of single-parent families, and are among the poorest and most vulnerable to homelessness.[74] With most residential land being used for single-family homes, there is less land for affordable housing options, worsening the housing crisis for those with the most need, like single mothers.

## D. Gender-Based Violence and Housing Policy

Gender-Based violence (“GBV”) is another cause of gender disparities in housing since it disproportionately affects women and contributes to women’s lack of access to housing. **Roughly 80% of women with children experiencing homelessness have previously experienced GBV, but this is presumed to be an underestimate.**[75] Fifty-seven percent (57%) of all women experiencing homelessness report GBV as the immediate cause of their homelessness.[76] This number has only risen, since GBV has increased since COVID-19 by 8.1%.[77]Lack of housing puts GBV survivors at a higher risk of abuse, as it is one of the primary barriers in leaving an abusive partner.[78] Even if a survivor manages to leave an abusive partner, gender discrimination in shelters is pervasive and one of the most commonly reported reasons that trans survivors are denied access to shelter services.[79]

A housing policy that targets GBV victims and perpetuates homelessness are chronic nuisance ordinances. These ordinances are put in place by landlords under the guise of “zero tolerance for crime” policies that evict tenants when violence occurs, regardless of whether the tenant is a perpetrator or victim.[80] These chronic nuisance ordinances predominantly affect women, according to a study in Milwaukee showing that 4 men, compared to 39 women, were evicted, or threatened with eviction due to a chronic nuisance ordinance.[81] Miami and other cities in South Florida, such as West Palm Beach and Boynton Beach have chronic nuisance ordinances in place.[82] While Miami does not specifically name GBV as a nuisance, it has a broad definition and does not exclude gender-based violence, placing GBV victims in in danger of eviction.[83]

Chronic nuisance ordinances make women less likely to report their abusers, leaving women and their children vulnerable to chronic abuse, decreasing their quality of life, and potentially harming their health. Discriminatory policies such as chronic nuisance ordinances and the gender and racial wage gap directly contribute to gender bias in the U.S. housing policy.

# III. Comparative Analysis

While the U.S. is not alone in its wealth and property gap based on gender, some countries have enacted good policies addressing this gap. Among eight other high-income countries, Australia, Canada, Denmark, Italy, New Zealand, Norway, United Kingdom, and Spain, women make up only 14–22% of the top 1 percent of earners.[84] In a study conducted across 30+ countries, men were more likely to own land and housing except in a single country, the Comoros.[85] However, some countries have taken steps to address these disparities. Germany has passed a wage transparency act, allowing workers to find out the salary of a co-worker in the same or comparable role.[86] Iceland has enacted a law requiring companies to demonstrate that their wages are fair, and if they do not comply, they are subject to daily fines.[87] Norway is requiring women to make up 40% of public listed company board roles, with those not complying face dissolution.[88] These laws will help to combat the extreme economic disparities between genders, creating more economic stability for women, leading to more housing stability for women.

In terms of zoning and construction of neighborhoods, many countries use zoning to plan and construct neighborhoods. However, the fundamental difference is that, in these countries, zoning is premised on density, while the U.S. zoning policy has its roots in segregation and exclusivity.[89] In Germany, industry and commercial uses are rarely prohibited from residential areas, but instead are regulated under performance standards.[90] For example, if an industry or commercial use creates noxious fumes, it would be banned in residential areas.[91] In addition, single-family and multi-family homes have always been allowed to co-exist and mixing of the wealthy and the poor has always been encouraged, unlike in U.S. housing policy.[92]

Many countries have added housing protections for victims of gender-based violence. In 2005, Serbia adopted a law stating that courts can issue an order for the removal of the perpetrator from family housing and order that victims be allowed to stay in family housing regardless of the ownership of housing. [93] Similar laws have been passed in both India and Brazil, allowing the women to remain in the shared housing, regardless of ownership.[94] The Indian Protection of Women from Domestic Violence Act guarantees that GBV victims will not be evicted or excluded from the shared household or any part of it by the abuser.[95] Some cities, such as Chicago, Houston, and Milwaukee, among others, have specifically exempted GBV related incidences as nuisances, which is a step in the right direction.[96]

# IV. Recommendations

## General

- The federal government should ratify ICESCR, providing full protection for social and economic rights, including the right to adequate housing.
- All levels of governments should recognize the right to adequate housing. This entails protection against forced eviction and the availability of housing that is affordable, habitable, accessible, well-located, and culturally adequate.[97]
- All levels of government should increase homeownership opportunities for women, particularly addressing the impact that race and sexuality have in homeownership,[98] by regularly assessing the affordability of housing and modify housing policies as needed in consultation with residents. Municipalities should adopt policies best suited to community needs, including social housing, community land trusts, rent control, renters' tax credits, and/or subsidized housing.
- All levels of government should provide emergency relief in response to the COVID-19 employment and housing crises that predominantly affect women of color and transwomen.[99]

## Addressing Disparities in Financing

- Pass wage transparency laws for various industries allowing women to know when they are being underpaid.
- Equitable wages for same or comparable work.
- Ensure fair and equal access to credit for women, repairing the historical harms of the denial of credit.

## Addressing Barriers to Participation

- Municipalities should promote the equitable and democratic development of neighborhoods and require public hearings in neighborhoods with new developments. Developers should prepare both environmental and community impact assessments and mitigation plans for displacing vulnerable populations.
- Municipalities should encourage gender equality in neighborhood meeting participation by providing childcare and scheduling meetings for times accessible for single working mothers.

## Zoning for Gender Equality

- Municipalities should incentivize the private development of affordable housing, through inclusionary zoning, which requires that a certain percentage of units in new developments be affordable.[100]

## Addressing the Impacts of Gender-Based Violence

- States and municipal governments should pass a law allowing gender-based violence victims to remain in the shared household, regardless of home ownership status.
- States and municipal governments should stop evictions based on chronic nuisance ordinances, especially in the cases of gender-based violence survivors, and protect tenants from discrimination following unfair evictions.[101]

# Endnotes

[1] U.S. Department of Housing and Urban Development, History of Fair Housing, [https://www.hud.gov/program\\_offices/fair\\_housing\\_equal\\_opp/aboutftheo/history](https://www.hud.gov/program_offices/fair_housing_equal_opp/aboutftheo/history).

[2] Id.

[3] History.com, Fair Housing Act, <https://www.history.com/topics/black-history/fair-housing-act>.

[4] Id.

[5] U.S. Department of Housing and Urban Development, Housing Discrimination and Persons Identifying as LGBTQ, [https://www.hud.gov/program\\_offices/fair\\_housing\\_equal\\_opp/housing\\_discrimination\\_and\\_persons\\_identifying\\_lgbtq](https://www.hud.gov/program_offices/fair_housing_equal_opp/housing_discrimination_and_persons_identifying_lgbtq).

[6] Id.

[7] Adam Polaski, In Major Victory, Florida Commission on Human Relations Affirms That State Nondiscrimination Laws Fully Protect LGBTQ People, Campaign for Southern Equality (February 3, 2021), <https://southernequality.org/in-major-victory-florida-commission-on-human-relations-affirms-that-state-nondiscrimination-laws-fully-protect-lgbtq-people/>.

[8] Id.

[9] Id.

[10] Matt Lavieta and Elliott Ramos, Nearly 240 anti-LGBTQ bills filed in 2022 so far, most of them targeting trans people, NBC News, (March 20, 2022), <https://www.nbcnews.com/nbc-out/out-politics-and-policy/nearly-240-anti-lgbtq-bills-filed-2022-far-targeting-trans-people-rcna20418>.

[11] Committee on Health Care for Underserved Women, Health Care for Homeless Women, THE AMERICAN COLLEGE OF OBSTETRICIANS AND GYNECOLOGISTS, <https://www.acog.org/clinical/clinical-guidance/committee-opinion/articles/2013/10/health-care-for-homeless-women>.

[12] United States Interagency Council on Homelessness, Florida Homelessness Statistics, <https://www.usich.gov/homelessness-statistics/fl/>.

[13] Family Gateway, Facts & Statistics, <https://familygateway.org/about-us/facts-statistics/>.

[14] Joy Moses and Jackie Janosko, Demographic Data Project, Homeless Research Institute, <https://endhomelessness.org/wp-content/uploads/2019/09/DDP-Gender-brief-09272019-byline-single-pages.pdf>.

- [15] Brendan Rivers, In Duval County, 76% Of Single Female-Headed Families ‘Struggle To Make Ends Meet’, WJCT News, <https://news.wjct.org/news/2019-01-16/in-duval-county-76-of-single-female-headed-families-struggle-to-make-ends-meet>.
- [16] United Way Miami, The Miami-Dade ALICE recap, <http://unitedwaymiami.org/wp-content/uploads/2019/02/18145-EXT-ALICE-One-pager.pdf>.
- [17] Matthew Desmond. Chapter 24: Can’t Win for Losing. In *Evicted* (p. 287). Crown/Archetype. (2016).
- [18] National Women’s History Alliance, Timeline of Legal History of Women in the United States, <https://nationalwomenshistoryalliance.org/resources/womens-rights-movement/detailed-timeline/>.
- [19] *Id.*
- [20] *Id.*
- [21] Leilani Farha, Women and Housing, in *Women and International Human Rights Law* 486 (K. Askin & D. Koenig vol. 1 1999).
- [22] Universal Declaration of Human Rights, art. 7, G.A. Res. 217 (III) A, U.N. Doc. A/810 (Dec. 10, 1948) [hereinafter UDHR].
- [23] Hurst Hannum, The Status of the Universal Declaration of Human Rights in National and International Law, 25 GA. J. INT’L & COMP. L. 287, 289 (1996).
- [24] International Covenant on Civil and Political Rights, art. 26, ratified June 8, 1992, 1996, 999 U.N.T.S. 171 [hereinafter ICCPR].
- [25] International Covenant on Economic, Social, and Cultural Rights art. 2(2), Oct. 05, 1977, 993 U.N.T.S. 3 [hereinafter ICESCR].
- [26] Convention on the Elimination of All Forms of Discrimination Against Women, signed July 17, 1980, 1249 U.N.T.S. 13 [hereinafter CEDAW].
- [27] ICCPR, *supra* note 24, art. 1.
- [28] Dam Hammarskjöld Library, What is the Difference Between Signing, Ratification and Accession of UN treaties?, [ask.un.org/faq/14594](http://ask.un.org/faq/14594).
- [29] UDHR, *supra* note 22.
- [30] ICCPR, *supra* note 24.
- [31] *Id.*
- [32] CEDAW, *supra* note 26.
- [33] However, please note that the Fair Housing Act also protects against disparate impacts of housing policies. In *Texas Department of Housing and Community Affairs v. Inclusive Communities Projects Inc*, the Supreme Court found that claims against housing policies that may have discriminatory effects “are cognizable under the Fair Housing Act.” *Texas Dept. of Hous. & Cmty. Affairs v. Inclusive Communities Project, Inc.*, 576 U.S. 519, 528, 545 (2015). Policies with a “disproportionately adverse effect on minorities” that are not supported by a legitimate rationale are not permitted. *Id.* at 519, 524, 540.

[34] UN Hum. Rts. Comm. (HRC), General Comment No. 18: Non-Discrimination, ¶¶ 6, 8, 10, U.N. DOC. HRI/GEN/1/Rev.9 (Vol. I) (Nov. 10, 1989) (explaining that right to equality and freedom of gender-based discrimination outlined in ICCPR should be interpreted broadly, requiring state parties to address disparate impacts of discriminatory conduct on part of either government agencies or private entities in addition to discriminatory intent of actions) [hereinafter HRC GC No. 18].

[35] *Id.* at ¶ 10.

[36] UN Committee on the Elimination of Racial Discrimination (CERD), General Recommendation no. 32, The meaning and scope of special measures in the International Convention on the Elimination of All Forms [of] Racial Discrimination, ¶ 11, 24 September 2009, CERD/C/GC/32, available at: <https://www.refworld.org/docid/4adc30382.html>.

[37] HRC GC No. 18, *supra* note 34, ¶ 10.

[38] UDHR, *supra* note 22, art. 25.

[39] ICESCR, *supra* note 25.

[40] UN Committee on Economic, Social and Cultural Rights, General Comment No. 4: The Right to Adequate Housing (Art. 11 (1) of the Covenant), ¶ 7, U.N. Doc. E/1992/23 (1991).

[41] CEDAW, *supra* note 26, art. 14(2)(h).

[42] Gender Economic Inequality, INEQUALITY.ORG, <https://inequality.org/facts/gender-inequality/#gender-income-gaps>.

[43] *Id.*

[44] *Id.*

[45] *Id.*

[46] *Id.*

[47] *Id.*

[48] *Id.*

[49] *Id.*

[50] Sandra Park & John Pollock, Tenants' Right to Counsel is Critical to Fight Mass Evictions and Advance Race Equity During the Pandemic and Beyond, ACLU (Jan. 12, 2021), <https://www.aclu.org/news/racial-justice/tenants-right-to-counsel-is-critical-to-fight-mass-evictions-and-advance-race-equity-during-the-pandemic-and-beyond/>; see also Sophie Beiers, Sandra Park & Linda Morris, Clearing the Record: How Eviction Sealing Laws Can Advance Housing Access for Women of Color, ACLU (Jan. 10, 2020), <https://www.aclu.org/news/racial-justice/clearing-the-record-how-eviction-sealing-laws-can-advance-housing-access-for-women-of-color/>.

[51] Desmond, *supra* note 17, p.98, Chapter 8: Christmas in Room 400.

[52] Brian Kreiswirth and Anna-Marie Tabor, What you need to know about the Equal Credit Opportunity Act and how it can help you, Consumer Financial Protection Bureau (October 31, 2016), <https://www.consumerfinance.gov/about-us/blog/what-you-need-know-about-equal-credit-opportunity-act-and-how-it-can-help-you-why-it-was-passed-and-what-it/>.

[53] *Id.*

[54] Odeta Kushi, Homeownership Remains Strongly Linked to Wealth-Building, First American (November 5, 2020), <https://blog.firstam.com/economics/homeownership-remains-strongly-linked-to-wealth-building>.

[55] Romero, Adam, Shoshana Goldberg, and Luis Vasquez, LGBT PEOPLE AND HOUSING AFFORDABILITY, DISCRIMINATION, AND HOMELESSNESS, UCLA SCHOOL OF LAW (April 2020), <https://williamsinstitute.law.ucla.edu/wp-content/uploads/LGBT-Housing-Apr-2020.pdf>.

[56] Meghan Henry, Tanya de Sousa, Caroline Roddey, Swati Gayen, and Thomas Joe Bednar, The 2020 Annual Homeless Assessment Report (AHAR) to Congress, The U.S. Department of Housing and Urban Development (January 2021), <https://www.huduser.gov/portal/sites/default/files/pdf/2020-AHAR-Part-1.pdf>

[57] Patrick Sisson, Public meetings are broken. Here's how to fix them., Curbed (February 12, 2020), <https://archive.curbed.com/2020/2/12/21132190/neighborhood-development-democracy-city-council-local-meeting>.

[58] Jacqueline Leavitt, Where's the Gender in Community Development?, The University of Chicago Press Vol. 29, No. 1 (2003).

[59] Patrick Sisson, *supra* note 57.

[60] *Id.*

[61] *Id.*

[62] *Id.*

[63] *Id.*

[64] *Id.*

[65] University of Miami School of Law Human Rights Clinic, 2020, Housing and Homelessness in Miami-Dade County, Florida, <https://miami.app.box.com/s/o9sxu2g4f21qchswr7y7ybikvkaj47m>. Accessed 9 Dec. 2021(citing Interview with Daniela Tagtachian, Clinic Professor, Environmental Justice Clinic, University of Miami School of Law (Jul. 8, 2019)).

[66] Miami21, Types of Zoning Codes, 2010,

<http://www.miami21.org/TypesofZoningCodes.asp>.

[67] University of Miami School of Law Human Rights Clinic, *supra* note 65.

[68] *Id.*

[69] Erin Baldassari and Molly Solomon, *The Racist History of Single-Family Zoning*, KQED (October 5, 2020), <https://www.kqed.org/news/11840548/the-racist-history-of-single-family-home-zoning>.

[70] *Id.*

[71] *Id.*

[72] Noah Kazis, *Fair Housing for a Non-Sexist City*, HARVARD LAW REVIEW (March 10, 2021), <https://harvardlawreview.org/2021/03/fair-housing-for-a-non-sexist-city/>

[73] *Id.*

[74] Green Doors, *Family Homeless Facts*, <https://www.greendoors.org/facts/family-homelessness.php#:~:text=84%25%20of%20families%20experiencing%20homelessness,are%20extremely%20vulnerable%20to%20homelessness>.

[75] *The Intimate Relationship between Domestic Violence and Homelessness.* Institute for Children, Poverty & Homelessness, June 26, 2019.

<https://www.icphusa.org/commentary/the-intimate-relationship-between-domestic-violence-and-homelessness-2/>.

[76] *“New Federal Policy Proposals Will Hurt Survivors of Domestic Violence.”* National Alliance to End Homelessness, October 23, 2019.

<https://endhomelessness.org/new-federal-policy-proposals-will-hurt-survivors-of-domestic-violence/>

[77] <https://www.globalcitizen.org/en/content/domestic-violence-covid-19-increase-us-ncccj-study/>

[78] Green Doors, *supra* note 74.

[79] *Id.*

[80] *Domestic Violence and Homelessness*, ACLU WOMEN’S RIGHTS PROJECT (2008),

[https://www.aclu.org/sites/default/files/field\\_document/factsheet\\_homelessness\\_2008.pdf](https://www.aclu.org/sites/default/files/field_document/factsheet_homelessness_2008.pdf).

[81] Kazis, *supra* note 72.

[82] Aria Golestani, *Silenced: Consequences of the Nuisance Property Ordinances*, UC Irvine (November 2021), [https://ariagolestani.io/wp-content/uploads/2021/11/AriaGolestani\\_JMP.pdf](https://ariagolestani.io/wp-content/uploads/2021/11/AriaGolestani_JMP.pdf).

[83] *Id.*

[84] INEQUALITY.ORG, *supra* note 42.

[85] Isis Gaddis, Rahul Lahoti, and Hema Swaminathan, *Women’s Legal Rights and Gender Gaps in Property Ownership in Developing Countries*, World Bank Blogs (January 21, 2021), <https://blogs.worldbank.org/developmenttalk/womens-legal-rights-and-gender-gaps-property-ownership-developing-countries>.

[86] Louise Melling, *12 Things Other Countries Have Done to Promote Gender Equity*, American Civil Liberties Union (August 13, 2018), <https://www.aclu.org/blog/womens-rights/12-things-other-countries-have-done-promote-gender-equity>

[87] *Id.*

[88] *Id.*

- [89] Sonia Hirt, To zone or not to zone? Comparing European and American Land-Use Regulation, PNDOnline (2010), [https://vtechworks.lib.vt.edu/bitstream/handle/10919/48185/hirt\\_to\\_zone\\_or\\_not\\_to\\_zone.pdf?sequence=4](https://vtechworks.lib.vt.edu/bitstream/handle/10919/48185/hirt_to_zone_or_not_to_zone.pdf?sequence=4).
- [90] Id.
- [91] Id.
- [92] Id.
- [93] United Nations, General Assembly, Report on Women and the right to adequate housing, A/HRC/19/53 (26 December 2011), available from <https://www.undocs.org/A/HRC/19/53>.
- [94] Id.
- [95] Id.
- [96] Policy Surveillance Program, City Nuisance Property Ordinances, LawAtlas (August 1, 2019), <http://lawatlas.org/datasets/city-nuisance-property-ordinances>.
- [97] Univ. Mia. Sch. L. Hum. Rts. Clinic Et Al., A Racial Justice Response to Homelessness 2 (2021).
- [98] National Women's Law Center, *supra* note 68.
- [99] Id.
- [100] Tagtachian et al., *supra* note 65.
- [101] National Women's Law Center, *supra* note 68.