

STATEMENT OF THE NORTH SUBURBAN ORGANIZATION FOR FAIR HOUSING
ON THE SKOKIE PLAN

In February of 1966, the Skokie Human Relations Commission presented its "Skokie Plan." The plan outlines three objectives:

- "1. to acquaint residents with the advantages of a policy of non-discriminatory sale of homes--a policy formally endorsed by the Village Board of Trustees--and of the undesirable consequences of restrictive sales;
2. to secure broad voluntary acceptance and practice of the policy that every home offered for sale is automatically to be considered available to buyers of any race, creed, or national origin, unless the owner specifically instructs the broker otherwise; and
3. to place the decision as to the manner of sale with the home-owner and minimize the influence of the broker, so that the latter can serve truly and solely as the agent of the seller."

Nine months have passed since the adoption of this plan, *no.* and we can no longer restrain our concerns. Our objections are threefold: against the philosophy that underlies the plan itself; on the contradictions among the three parts of the plan; and on the efficacy of the plan even when judged on its own terms.

Underlying this plan (and specifically stated in points 2 and 3) is a concept of property rights that assumes the right of a homeseller to deny to some persons the right to purchase their property solely because of race, creed, or national origin.

It also assumes the right of an agency licensed by the village *no.* to enter into a contractual arrangement which denies to some persons the right to purchase property.

The fifth and fourteenth amendments to the Constitution of the United States both state that no citizen may be deprived of life, liberty, or property without due process of law. We do not see that insuring all citizens equal access to property in any way deprives another man of his property. We do see a connection between depriving a man of his liberty and denying him equal access to property.

The Commission itself seems to recognize this in its booklet, Your Home and Skokie's Future, when it says:

"A man's right to own property has genuine meaning only if he has the right to acquire property as well as to dispose of it; to buy as well as to sell; to inherit as well as to bequeath. The right to own property is a personal right; it is ours because we are persons; it does not simply reside in one who happens to own property at any given moment. The right to own property is personal and inalienable, but it is not absolute, for the use of property is governed by the common good--of each of us and all of us.....And it should be further recognized that deprivation (of property) can be achieved through unjust seizure of what one already possesses or by a quasiconspiratorial effort to deny one access to property."

How, then, can the Commission sanction an agency licensed by the village and state entering into such a "quasiconspiratorial effort?" We assert that the right not to be deprived of property without due process of law, in fact, abrogates the right of one citizen to deny another equal access to property.

The purpose of the Commission's community-wide program as authorized by the Village Board of Trustees is to make the village policy resolution a "working reality." Therefore, it is necessary to evaluate the degree of consistency between the resolution and the Commission's efforts. The resolution issued by the Board of Trustees is as follows:

"WHEREAS, the Village of Skokie is a community which proudly proclaims as its citizens members of all races, creeds and national origin; and
WHEREAS, the Village of Skokie has been in the forefront of suburban communities seeking effective solutions to problems in the field of racial and minority relations by peaceful and lawful means;
NOW, THEREFORE, BE IT RESOLVED by the President and Board of Trustees of the Village of Skokie that we believe it is morally wrong to deny equal housing opportunity when based on race, creed, color or national origin whether by express or tacit agreement, silence or custom.
WE welcome to our Village of Skokie and as our next door neighbors all people, irrespective of their race, creed, color or national origin."

The "Skokie Plan" allows the realtor to accept discriminatory listings. By doing so, it contradicts the resolution passed by the Village Board of Trustees which declares that any express agreement to deny ^{equal} opportunity for ~~equal~~ housing is immoral. The resolution declares that discrimination is immoral under any conditions. The "Skokie Plan" declares that realtors can discriminate under the condition that the homeseller instructs him to do so. Points two and three of the plan assert the right of homesellers and brokers to enter into express agreements to discriminate, and the Commission has issued instructions both to homesellers and to realtors outlining the techniques for doing so. *NO.*

In addition to the disparities between the village resolution and the "Skokie Plan," the plan is ineffectual even when judged by its stated purposes. We question whether the Commission is able to determine that "the decision as to the manner of sale" lies with the homeowner and that the influence of the broker is minimized. It is impossible for the Commission to determine who places the restrictions on property.

1. Statistical data submitted by realtors to the Human Relations Commission can be interpreted to indicate restrictions placed by either homesellers or realtors. No determination can be made as to which of the two is discriminating.

2. The Commission's proposed technique of spot-checking the multiple listings cannot determine the discriminating party. For example, when a homeowner is reluctant to discuss the issue with a representative of a public agency, this does not necessarily mean that he has instructed the realtor to discriminate. Or, when a homeowner states that his home has been taken off the market, this indicates nothing about the owner's instructions to his broker.

And so with a multitude of devices set up by the Human Relations Commission, realtors are finding it easy to cooperate with the "Skokie Plan" and to perpetuate our segregated housing patterns.

In summary, we believe that the "Skokie Plan" is wrong in assuming the right of property owners to discriminate (on the basis of race, creed, or national origin) in the sale of property; that the "Skokie Plan" is wrong to assume the right of a publicly licensed agency to involve itself in such discrimination;

that the "Skokie Plan" contradicts and subverts the resolution of the Village Board of Trustees which it purports to make a "working reality;" and that the Commission is not able, under the plan, to stop (or even determine) discrimination by realtors.

What is the real test of the "Skokie Plan?" Can Negroes obtain the same service through realtors in Skokie that whites receive? The answer is still "no" for the Negro families who have recently confronted the Skokie real estate industry in their search for housing.

We believe that the Commission should re-evaluate the plan and recommend legislation that would make it illegal for realtors to accept discriminatory listings; and that the Commission should make public the failure of the plan so that other communities will not fall victim to the illusion of change that it creates--an illusion more dangerous than no attempt at all.

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