

TESTER'S HANDBOOK

Focus Housing
Committee

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PURPOSE

FOCUS' primary role in integration of housing is in the use of direct action: testing, negotiating, and non-violent actions (picketing or sit-ins) aimed at bringing about a rapid abandonment of discriminatory practices.

The secondary jobs are to promote the use of legal redress and to cooperate with other forces working to integrate housing.

A third function will be to obtain a list of bona fide tenants and/or buyers, and may include developing a list of available housing in the Shorefront area in conjunction with Open City.

METHOD

FOCUS' Housing Committee has decided to use an old and proven system of "teams" in order to break the housing barrier. There are a few particulars which must be followed in order for this system to be successful. It should be understood that these particulars might vary according to the situation; however, the general principles should be kept in mind at all times.

OF TESTING

Three types of testing will be attempted: Apartment, homes and pattern testing. The methods are different for each type, but the results, it is hoped, will be the same. Apartment and home testing are carried out by a bona fide applicant - a Negro applicant who really wants an apartment or a house. Pattern testing is carried out (not necessarily by a "real" applicant) with the idea of tracing the pattern of discrimination and breaking it with the help of negotiations, non-violent actions, or if necessary, legal action.

PREPARATIONS FOR TESTING

The following facts should be discussed between Negro and white testers to formulate a "story": tester's occupation and employer, salary, present address, size of family, rent to be paid or down-payment he can afford. A general rule-of-thumb is that a person can afford to buy a home about $2\frac{1}{2}$ times his annual salary, or he can pay rent amounting to 25% of his salary.

White testers should have lower qualifications than the Negro testers, that is, lower salary, more children, less money for rent, etc. If possible, the bona fide applicant should bring his family with him. The personal confrontation with flesh and blood human beings may help to break down a real estate man previously determined to turn away Negroes. The bona fide applicant should be prepared to make the down-payment on a house, or a deposit or security for an apartment if it is offered to him.

If an automobile is used, it should be parked at a distance from the apartment to be tested so as not to be seen.

APARTMENT TESTING

It must be remembered that the law has no jurisdiction over two-family owner-occupied houses.

Before the testers start, a course of action should be agreed upon. The bonafide applicant must decide whether direct action will be taken if required. If the applicant decides that direct action is not advisable a complaint should be made to the City Commission, if necessary.

Testers should discuss, as part of their story, where the lead on the apartment came from - the newspapers, word of mouth, etc.

ACTUAL TESTING

1. Negro applicants apply first; attempting to obtain all information about the apartment - rental, security, length of lease, when apartment will be available, who will the lease be signed with (agent, superintendant, etc.) redecoration, new equipment, etc.
2. IF NEGRO APPLICANTS ARE REJECTED: they should ask to see the apartment anyway, in order to see whether they want the apartment. The excuse given can be "In case it is available later".
3. White testers should apply for apartment as soon as possible, after obtaining all details from Negroes, and attempt to get the same information about the apartment as the Negroes.
4. IF NEGROES ARE NOT ALLOWED TO SEE THE APARTMENT white testers should form a detailed picture of the apartment in order to describe it to the Negro applicants.
5. IF NEGRO APPLICANTS ARE INTERESTED IN APARTMENT (WHETHER OR NOT THEY HAVE SEEN IT) White testers go to the apartment again, leaving the door ajar. One person should attempt to engage the superintendant in conversation in a room farther from the entrance. The Negroes should then enter. All four testers should then declare their intentions and state that they are from FOCUS.
6. Negotiations should be attempted with the declaration of refusal to leave until the apartment is rented.
7. One white member of the team should notify a member of the Executive Board immediately. The list of members and their telephone numbers is on the last page of this manual.
8. If negotiations fail, information should be given to City and State Commissions.

HOUSE TESTING

A bonafide applicant is needed for this type of testing. There are two methods: through an agency and through private sale.

HOUSES THROUGH AGENCY

1. Negroes enter first. They inquire as to what is available, or ask for a specific house from an advertisement.
2. If the Negro applicants are told the following, the white testers should enter immediately after the Negroes leave:

- a. the house is sold
- b. the owner is not there
- c. the salesman doesn't have time
- d. there are only expensive houses available, etc.

White testers should try to find out where the story is false. Depending on the story the Negroes were told (ascertained from the Negroes), the white testers should attempt to break down that story. For example, if Negroes were told that the owner was not there, the white testers should try to see the owner.

3. If the white testers succeed in breaking down the story and IF THE NEGRO APPLICANT HAD ONE PARTICULAR HOUSE IN MIND, white testers should attempt to see the house and describe it in detail. The Negro applicant should be shown the neighborhood and outside of the house. If they are interested, both teams should enter together and confront the agent with the purpose of seeing the house.
4. IF NEGRO APPLICANT GOES TO AGENCY WITH NO PARTICULAR HOUSE IN MIND white testers should try to get to see a house and attempt to show it to Negro applicant. If it is suitable, negotiations should start.
5. NEGOTIATIONS AND CONFRONTATIONS SHOULD TAKE PLACE AFTER A MEMBER OF THE EXECUTIVE BOARD IS CONTACTED. (See list on last page)
6. If negotiations do not work, moral persuasion should be tried. If this fails, sit-ins or other pressures may be used. If this also fails, a petition should be sent to the City or State Commission. If there is strong feeling about a house, testers may refuse to leave the agent's office until a binder is signed. This may entail remaining until a lawyer appears. If all else fails, picketing may have to be put into effect.

PRIVATE SALES

This is a transaction between buyer and seller, with no middle-man or agent involved.

There are two methods which can be used: The first entails two teams, a Negro and a white team; the second entails three teams, one Negro and two white teams.

A- TWO TEAMS

1. Negroes attempt to see house.
2. IF REFUSED, white testers enter after at least one hour has elapsed

B-THREE TEAMS

1. White couple enters.
2. Negro couple enters soon after first team ascertains that house is still available.
3. IF NEGRO COUPLE IS REJECTED second white team enters after at least an hour has elapsed.

4. If it is still ascertained that the house is available, the entire group should confront the owners. A member of the Executive Board should be contacted (see list on last page) and, if possible, a Minister or Rabbi from the immediate vicinity and a neighbor should also join the group.
5. Moral persuasion should be attempted. Community backing, in the form of the neighbor and religious leaders, should be shown. If this fails, the owners should be informed of the law: that an injunction will be obtained which will prevent them from selling the house to anybody else.
6. If this fails, and the Negro family decides that it is worthwhile to demonstrate, proceed to do so.
7. If the Negro family decides not to demonstrate, the case should be put in the hands of the City or State Commission.

PATTERN TESTING

This is done at real estate agencies or at apartment houses owned by large companies or builders. No bonafide applicants are needed for this type of testing.

1. White testers will enter first for the following reasons:
 - a. if nothing is available, time will be saved by white testers going in first, because Negro testers need not go in at all.
 - b. It will allay suspicions, especially in all-white neighborhoods.
2. White testers should apply for likely-sounding apartments. If there is an advertisement for three rooms, application for three rooms should be made.

AGENCIES

Instructions will be given by the team coordinator of the day as to what types of accommodations to ask and look for.

1. White testers will enter first with all available information. If an apartment or house is available, white testers **MUST REFUSE IT**. If it is accepted by the white testers, it is useless for Negro testers to enter because this can be used as an excuse for agents to turn down their request.
2. Negro testers follow the white testers. If the agency is busy, with people continuously coming and going, Negro testers should enter immediately. If there is no much activity, Negro testers should wait awhile before entering.
3. Negro testers should have the same story as white testers and should ask for apartments or houses in the same category.

Preferably, both teams of testers should ask for a specific house advertised in the newspapers.

4. Testers should be careful about the neighborhood offered. Negro testers may be offered a neighborhood which is a fringe area or a pocket of integration. Our goal is to stop segregation where it exists.

APARTMENT HOUSES

This is done in the same way as agency testing.

As many different levels as possible should be tested. That is, for the same company, using Lefrak as an example, an old building and a new building should be tested; buildings in different neighborhoods should be tested; the agency which handles the company should be tested. (in the case of Lefrak, it is the Life Realty Company) Attitudes of different people concerned should also be tested. That is, if a superintendent is in charge in one building, his reactions should be noted; in a new building, the agent on the premises should be tested. This procedure should be repeated until a pattern is established.

WHEN DISCRIMINATION IS SHOWN

The testers should not show the agent that discrimination is felt. A form (see next page) should be filled out immediately so that the information (and indignation) is still fresh in the mind. These forms will be converted into affidavits which will be sent to the City Commission, the State Commission or the Secretary of State of New York.

Complaints will be lodged first in the form of affidavits, and THEN negotiations will be attempted with the builders or agents.

(SAMPLE)

FORM TO BE FILLED OUT WHEN DISCRIMINATION IS FELT. ONE FORM IS TO BE FILLED OUT BY WHITE TESTERS, AND ONE BY NEGRO TESTERS.

NAME ADDRESS NO. _____

1. _____

2. _____

DATE _____ TIME _____

BROKER _____

ADDRESS _____ PHONE NO. _____

BROKER'S REPRESENTATIVE- AGENT () SUPER ()
OWNER ()

NAME _____

LIST OF APARTMENTS- LOCATION SIZE PRICE

1. _____

2. _____

3. _____

REPORT OF INTERVIEW

(use other side if necessary)

ATTITUDE OF BROKER:

A new testing method is used when an air-tight case of discrimination is required - one that will stand up under cross-examination in a court of law. It is necessary to record every detail of conversation, dates, times, names, addresses, etc. It will entail more time being spent on one case - but one air-tight case is worth half a dozen weak ones.

SPECIAL TESTING- Bonafide applicants are not necessary. This can be done with one Negro and one white Team, or one Negro and two white teams.

1. White team enters agency first. They ask for a house or apartment, preferably taken from an advertisement in the paper. When house or apartment is offered white team WILL ACCEPT IT. The agent will most probably give the team a slip of paper with address and price of house or apartment. This must be kept.
2. Negro and white teams then proceed to the house. White team should then speak to the owner or superintendent and get all information regarding it; when it is available, decoration, equipment, etc.
3. Both teams should then return to neighborhood of agency. From a telephone booth, white team will call agent and turn down the apartment or house.
4. Within four minutes the Negro team should enter agency. They should ask for the same house or apartment as the white team was shown. If an ad was not in the paper, the Negro team should try to be as specific as possible without being obvious. For example; a house on or very near Bedford Avenue, between Ave. W and X.

IF NEGRO TEAM IS REFUSED:

1. If one white team is testing, that team should call agent back and say that they have reconsidered and would like to have the apartment or house. If agent says that it is available, both teams should then confront the agent.
2. If two white teams are testing, the second team should call agent and inquire about apartment (heard it from a friend, neighbor, etc.). If apartment or house is said to be available, all three teams should confront the agent. If agent "passes the buck" about discrimination, this should be followed up by returning to the apartment or house and asking the owner if he has given any instructions to show accommodations to "whites only".

SUGGESTIONS FOR FOCUS TESTERS

DRESS-It is necessary that all participants be dressed appropriately. Ladies should refrain from wearing slacks. Gentlemen should wear ties and be well-shaved.

DECORUM- Participants should at all times refrain from arguing or losing their tempers, although there might be provocation from superintendants, rental agents or brokers. This might, in the case of the Negro testers, be used as a "reason" for not deeming the family as suitable tenants. Also, when the owner or agent loses his temper, a cool tester can pick up a lot of valuable information.

PICKETING- A picket line is a form of public demonstration. It has a two-fold purpose. It informs the public of some form of discrimination and it asks the public to take action to end the discrimination.

To win public support it is important that the picketers be neat and well-dressed and that the picket line is orderly.

One or two persons should be in charge of the picket line. The picket captain may then designate responsibilities, including that of answering questions of passersby. Persons on the picket line should report first to the picket captain, and receive instructions. They are thereafter responsible to the picket captain. Newspapermen and police should be referred to the picket captain, and orders should come from him. He should introduce himself to the highest ranking police officer present, saying that he is in charge of the picket line, and asking that any requests be conveyed through him. If there is trouble with the police, the picket captain should get the number, rank and name of the officer with whom there is a dispute, and call police headquarters if he believes the police officer has exceeded his authority. Remember that the policeman on the beat cannot take orders from you, but only from his superior. If the picket captain knows he is within his rights and the issue is important, it may be best to disobey the orders of the police and risk arrest if this is feasible. It is best to cooperate with the police, even when in the right, if cooperation does not seriously hamper one's work. Persuasion and good temper can frequently solve police problems.

Sometimes you may wish to chant slogans. At other times this may not be appropriate. But in no case should the slogans be abusive, and always, if slogans are used, they should be agreed upon beforehand, and chanting should be in unison.

The line itself should walk only before the property of the company being picketed. The entrances should never be blocked. It is best to walk slowly since this is the least tiring on you. Do not bunch up to talk to friends. Pickets should be evenly spaced and far enough apart so that signs can be read easily. In bad weather, or when picketing is prolonged, the picket captain should allow for coffee breaks. The group may also have several shifts of pickets, each group walking for 2 or 3 hour periods. It is important not to work people for so long that they will not return.

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Public demonstrations go on at the same time as genuine negotiations. It is therefore particularly important that our lines be effective and that they be orderly.

Generally, the police should be notified of the time and location of our demonstration. If there are any questions as to number of pickets, use of sticks or placards, etc., these should be cleared up in advance.

No matter what the provocation, we REMAIN CALM AND COURTEOUS TO ALL. We do not respond to hoots or jeers. Of course, if attacked, we never hit back.

SAMPLE AFFIDAVIT- NEGRO TESTERS

STATE OF NEW YORK ss:
COUNTY OF KINGS

I, John Smith, residing at 1011 Twelfth Street, in the County of Kings, City and State of New York, being duly sworn depose and say that on the 5th day of June, 1964, at 3:45 P. M.:

I entered the premises of the Lefrak Realty Co., located at 1544 Flatbush Avenue, Brooklyn, N. Y. accompanied by Mary Jones. I inquired about the availability of 4 or 5 room apartments from a grey-haired woman sitting in the office. She replied that she was only a typist, and asked that I leave my name and phone number. We did so and left. I believe I was discriminated against because of my race.

Signed _____

Witnessed _____

to before me
5th day of June, 1964

SAMPLE AFFIDAVIT- WHITE TESTERS

STATE OF NEW YORK ss:
COUNTY OF KINGS

I, Helen Brown, residing at 123 Fourth St., in the County of Kings, City and State of New York, being duly sworn depose and say that on the 5th day of June, 1964, at 3:30 P. M.:

I entered the premises of the Lefrak Realty Co. located at 1544 Flatbush Ave., Brooklyn, N. Y. I spoke to Mrs. Iris Tee, a grey-haired woman, who offered us several apartments. I turned them down and left. I was accompanied on this interview by William Green.

Signed _____

Witnessed _____

Sworn to before me
this 5th day of June, 1964

NOTE:

WHEN AN AFFIDAVIT IS TO BE USED IN A COURT OF LAW, IT WILL BE NECESSARY TO INCLUDE ALL DETAILS OUTLINED IN HANDBOOK.