



# De nouveaux outils légaux et une campagne de communication pour lutter contre les **discriminations** **au logement** à Bruxelles

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Conférence de presse du jeudi 06 mai 2021

**Nawal Ben Hamou**  
Secrétaire d'État au Logement



## Communiqué de presse

### De nouveaux outils légaux et une campagne de communication pour lutter contre les discriminations au logement à Bruxelles

De trop nombreux bruxellois sont victimes de discriminations lors de la recherche d'un logement<sup>1</sup>. Il en résulte que, face aux refus injustifiés des bailleurs ou des agents immobiliers, les victimes de discriminations sont contraintes d'accepter des logements inadaptés ou insalubres pour un loyer souvent excessif. Ces situations de mal-logement engendrent à leur tour des problèmes de santé, d'isolement social, d'échec scolaire ou professionnel.

Le **Plan d'Urgence Logement** prévoit 3 leviers pour améliorer la lutte contre les discriminations au logement :

1. Renforcer les dispositions du Code bruxellois du Logement relatives à la lutte contre la discrimination au logement
2. L'engagement d'inspecteurs supplémentaires pour augmenter le nombre de dossiers instruits par la Direction de l'Inspection régionale du Logement (DIRL)
3. Et le lancement d'une campagne de communication afin d'informer les candidats-locataires quant à leurs droits face aux discriminations qu'ils pourraient subir.

#### **Des tests de discrimination proactifs pour constater et sanctionner les pratiques discriminatoires**

Depuis septembre 2019, les inspecteurs de Bruxelles Logement peuvent recourir à des tests de discrimination pour constater des actes discriminatoires et, le cas échéant, imposer des amendes. Actuellement, les tests peuvent uniquement être pratiqués si une plainte préalable est déposée et si l'administration peut prouver avant même de recourir au test qu'elle dispose déjà d'indices sérieux de discrimination.

Ce cadre légal trop rigide ne permet pas une lutte efficace contre les discriminations et peut expliquer l'absence de résultat du dispositif actuel : au 28 avril 2021, 29 dossiers avaient été ouverts. Parmi ceux-ci, 14 ont fait l'objet d'une audition, 6 sont en cours de traitement (dont 4 pour lesquels des auditions sont déjà planifiées) et 9 ont été classés sans suite. Les dossiers viennent de trois sources différentes, UNIA (11 dossiers), les recherches de la DIRL (6 dossiers) et les plaintes des citoyens via le portail de Bruxelles-Logement (12 dossiers). Seuls trois tests de discrimination ont été réalisés et aucune amende administrative n'a été infligée.

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<sup>1</sup> L'ampleur des discriminations au logement a été documentée dans plusieurs études scientifiques dont celle menée par Unia en 2014 et intitulée « Le Baromètre de la diversité dans le logement » et celles menées en 2017 et 2019 par l'Université de Gand et la VUB. Plus récemment, une nouvelle étude a mis en lumière l'effet négatif du confinement sur l'ampleur des discriminations au logement en Région de Bruxelles-Capitale : Pieter-Paul Verhaeghe & Abel Ghekiere (2020) The impact of the Covid-19 pandemic on ethnic discrimination on the housing market.

Dès juin 2020, la Secrétaire d'Etat a mis en place un groupe de travail, composé de représentants de la DIRL, d'Unia, de l'IEFH et du professeur de la VUB Pieter-Paul Verhaeghe, pour procéder à l'évaluation de la législation bruxelloise en matière de discrimination au logement et proposer des recommandations afin d'améliorer les outils de lutte contre la discrimination au logement.

C'est sur base de ces recommandations que Nawal Ben Hamou a déposé un **avant-projet d'ordonnance**, adopté en première lecture par le gouvernement le 29 avril dernier. L'avant-projet prévoit notamment :

- **D'autoriser les tests proactifs** : les deux conditions cumulatives du dépôt de plainte/signalement préalable et d'indice sérieux de discrimination sont supprimées. La provocation reste évidemment interdite. La région bruxelloise est la première région du pays à se doter d'un dispositif de tests de discrimination dans le secteur du logement.
- **De permettre à la DIRL d'engager des acteurs pour réaliser des testings** pour son compte et de permettre aux associations œuvrant à l'insertion par le logement de réaliser des testings à la demande de la victime ou de la DIRL. Les tests de situation nécessitent en effet de nombreux profils différents pas toujours présents chez les agents de la DIRL (exemples : femmes enceintes, pensionnés ou personnes handicapées). Le recours aux associations et aux acteurs permet de dépasser cet obstacle pour offrir une diversité de profils.
- **D'étendre la lutte contre la discrimination dans tout le secteur du logement** : l'objectif est de viser toutes les discriminations qui touchent les candidats locataires et les locataires avant et pendant toute la durée du bail. Par exemple, si un locataire est expulsé car il s'est mis en couple avec une personne de même sexe, le bailleur pourra être poursuivi et sanctionné grâce à cette extension de champ d'application du Code.
- **D'étendre la liste des critères de discrimination**. Plusieurs critères de protection contre la discrimination sont ajoutés : les responsabilités familiales (familles nombreuses, monoparentales), l'adoption, la coparentalité, la paternité et le statut de séjour. Le projet précise également qu'une discrimination fondée sur la procréation médicalement assistée, l'allaitement, les caractéristiques sexuelles et l'identité ou l'expression de genre est assimilée à une discrimination fondée sur le sexe. Le refus d'aménagement raisonnable est également assimilé à une discrimination directe (personnes avec handicap qui se voient refuser un logement après avoir demandé des aménagements raisonnables (exemple : installation d'une barre de douche).
- **De préciser quelles informations peuvent être demandées par le bailleur et à quel moment** : le bailleur pourra solliciter certaines informations au candidat locataire avant la visite, à l'appui de la candidature ou en vue de la rédaction du bail. Il ne sera plus permis aux bailleurs de faire remplir des fiches d'information extrêmement intrusives avant même une simple visite comme c'est encore trop souvent le cas actuellement.

L'avant-projet a été soumis pour avis à Unia, à l'Institut pour l'Égalité des Femmes et des Hommes et au Conseil Consultatif du Logement. Il devra encore passer au Conseil d'Etat avant d'être définitivement approuvé par le Gouvernement et déposé au Parlement cette année encore.

## **Un renforcement des équipes de la DIRL**

Depuis l'entrée en vigueur de la législation anti-discrimination en septembre 2019, cette nouvelle mission attribuée à l'inspection du logement était exercée par des agents qui géraient également des dossiers de lutte contre l'insalubrité. L'absence d'agents directement dédiés à la discrimination explique également les faibles résultats obtenus. Dans le cadre du Plan d'Urgence Logement, il a été décidé de recruter en 2021, 3 agents spécialement dédiés au traitement des plaintes pour discrimination au logement. Deux recrutements ont déjà eu lieu en mars et avril et le troisième est en cours.

## **Une campagne de communication sur les discriminations au logement**

Une campagne de communication sera lancée ce vendredi 7 mai, pour minimum un mois. L'objectif est de s'adresser directement aux candidats-locataires et aux bailleurs bruxellois. Le message est très clair : la discrimination au logement est illégale et est punie par la loi. Tant les candidats locataires que les bailleurs ont un rôle à jouer pour faire reculer les préjugés, le rejet et les pratiques discriminatoires.

La campagne sera exclusivement digitale dans un premier temps, avec un support web [alouermais.brussels](http://alouermais.brussels) qui poursuit 3 objectifs :

1. Informer les candidats-locataires sur les différentes discriminations au logement et les informer quant à leurs droits
2. Permettre aux candidats-locataires de signaler les discriminations qu'ils subissent via un formulaire en ligne
3. Informer les propriétaires-bailleurs sur la ligne de conduite à adopter et les sensibiliser aux éventuelles sanctions liées à la discrimination envers une catégorie de locataires ou de candidats-locataires.

La campagne permet de sensibiliser les Bruxellois.es aux différentes formes de discrimination au logement, d'informer les locataires quant à leurs droits et de les encourager ainsi à signaler les discriminations qu'ils subissent via le site [alouermais.brussels](http://alouermais.brussels). L'objectif est également d'informer les propriétaires-bailleurs sur les comportements discriminants et leur rappeler les sanctions qui s'appliquent en cas de discrimination.

Le format digital présente différents avantages :

- Un ciblage beaucoup plus précis que ce que proposent les médias traditionnels,
- Une optimisation du budget afin de faire durer la campagne dans le temps,
- De rediriger le public-cible en un clic vers le site **alouermais.brussels**

Dans un deuxième temps, la campagne sera également traduite en affiches, reprenant les codes du visuel bien connu de tous, une affiche À LOUER, afin d'avoir un impact visuel auprès des locataires ou candidats-locataires concernés qui peuvent éventuellement être en situation de fracture numérique.

Ces affiches seront distribuées auprès des communes, des CPAS, des AIPL, des AIS, du Syndicat des locataires, de l'Office des propriétaires, du Syndicat des propriétaires et copropriétaires, des agences immobilières, et également auprès des services du SPRB, d'UNIA et de l'Institut pour l'Égalité des Femmes et des Hommes.

Le montant alloué à cette campagne est de 76.000 € dont 35.000 € dédiés à la réservation d'espaces média sur le web et sur les réseaux sociaux.

## Discrimination au Logement

### Quelle procédure ?

#### Introduction de la procédure

Toute personne, victime ou témoin, physique ou morale, peut introduire une plainte ou un signalement pour discrimination au logement auprès de la DIRL (Direction de l'Inspection régionale du Logement).

La plainte ou le signalement peut porter sur des faits de nature très différente :

- Il peut s'agir d'un refus de logement basé sur un motif discriminatoire (en raison de la nature ou de l'origine des revenus du candidat locataire, de ses origines, de sa couleur de peau, de sa nationalité, de son âge ou du fait qu'il présente un handicap par exemple). Le refus peut être implicite (absence de réponse). Il peut aussi s'agir d'une différence de traitement qui n'a pas forcément débouché sur un refus de logement explicite (on a demandé plus d'informations à un candidat d'origine étrangère qu'à un autre par exemple ou on a tenté de le décourager)
- La plainte ou le signalement peut viser une offre de logement discriminatoire (petite annonce sur un site internet ou sur un réseau social mentionnant par exemple « CPAS / chômeurs s'abstenir » ou « contrat de travail exigé »)
- La plainte ou le signalement peut aussi viser le comportement d'un bailleur ou d'une agence immobilière qui demande des renseignements ou des documents excédant ce que la législation permet de demander (demande de copie d'un contrat de travail ou d'une lettre de recommandation du bailleur précédent par exemple)

La plainte ou le signalement peuvent être introduits par e-mail, par courrier ou via le site internet **alouermais.brussels** ou **logement.brussels**. Par la suite, après une première analyse, la DIRL pourra inviter le plaignant à compléter son signalement par tout élément permettant d'évaluer sa recevabilité ou par tout élément susceptible de constituer un indice sérieux de discrimination (échanges d'e-mails ou de messages, captures d'écran, enregistrements téléphoniques, etc.).

La DIRL peut également instruire des dossiers de sa propre initiative. C'est notamment le cas lorsque la DIRL constate la publication d'une petite annonce discriminatoire.

## Testings

Le testing n'est pas obligatoire. Il ne sera réalisé que s'il est utile pour vérifier s'il existe bien une discrimination et seulement si les conditions légales sont remplies.

Il existe deux types de testings :

1. Les tests de situation visant à comparer le profil de deux ou plusieurs candidats locataires présentant un profil similaire qui ne diffère que par le critère protégé.
2. Les tests du « client mystère » ou « mystery shopping » visant à utiliser un profil réel ou fictif pour vérifier si la discrimination est établie.

## Audition, envoi au Parquet et amende administrative

Si la discrimination est établie, qu'il y ait eu ou non réalisation d'un testing, le bailleur ou l'agent immobilier contrevenant est convoqué en audition afin que la DDIRL puisse entendre ses moyens et observations.

Sur base des arguments avancés par le contrevenant, la DDIRL peut décider de poursuivre la procédure. Dans ce cas, le dossier est envoyé au Parquet qui dispose d'un délai de 45 jours s'il souhaite se saisir de cette affaire.

A défaut de réponse du Parquet dans ce délai ou si le Parquet décide de ne pas se saisir, la DDIRL peut imposer une amende administrative d'un montant compris entre 125€ et 6.200€, augmentés des décimes additionnels.

## Recours

Si une amende administrative est imposée par la DDIRL, le contrevenant dispose d'un recours devant le fonctionnaire délégué par le Gouvernement. Si une amende est confirmée par le fonctionnaire délégué, le contrevenant dispose ensuite d'un recours devant le Conseil d'Etat.



GOUVERNEMENT DE LA RÉGION DE BRUXELLES-CAPITALE  
BRUSSELSE HOOFDSTEDELIJKE REGERING



BRUSSEL HUISVESTING  
BRUXELLES LOGEMENT

GEWESTELIJKE OVERHEIDSDIENST BRUSSE  
SERVICE PUBLIC RÉGIONAL DE BRUXELLES



# Campagne de communication **Face au logement, c'est illégal d'être inégaux**

MAI - JUIN 2021



# Contexte

Entre 2016 et 2017, la Région de Bruxelles-Capitale a lancé une campagne à grande échelle de tests de situation afin d'évaluer précisément les pratiques discriminatoires à la location auprès des agences immobilières actives sur le territoire régional. Cette campagne a révélé, par le biais de tests de situation et de clients mystère, l'existence de chiffres alarmants en termes de pratiques discriminantes.

<https://logement.brussels/actualites/pratiques-discriminatoires-a-la-location-les-resultats-de-letude>

# Objectif

L'objectif est de s'adresser directement aux candidats-locataires, aux locataires et aux bailleurs bruxellois. Le message est très clair : la discrimination au logement est illégale et est punie par la loi. Tant les candidats locataires que les bailleurs ont un rôle à jouer pour faire reculer les préjugés, le rejet et les pratiques discriminatoires.

La campagne sera exclusivement digitale dans un premier temps, avec un support web alouermais.brussels qui poursuit 3 objectifs :

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3. Informer les propriétaires-bailleurs sur la ligne de conduite à adopter et les sensibiliser aux éventuelles sanctions liées à la discrimination envers une catégorie de locataires ou de candidats-locataires.

La campagne permet de sensibiliser les Bruxellois.es aux différentes formes de discrimination au logement, d'informer les locataires quant à leurs droits et de les encourager ainsi à signaler les discriminations qu'ils subissent via le site alouermais.brussels. L'objectif est également d'informer les propriétaires-bailleurs sur les comportements discriminants et leur rappeler les sanctions qui s'appliquent en cas de discrimination.

# Cible et plan média

L'objectif est de s'adresser directement aux candidats-locataires, aux locataires et aux bailleurs bruxellois. Chacun.e a un rôle à jouer pour faire reculer les préjugés, le rejet et les pratiques discriminatoires.

## Cible :

Bruxellois.es (18-65)

Intérêt dans l'immobilier / location / déménagement

Propriétés résidentielles (à louer), maison (à louer), appartements (à louer)

Locataires

## Médias :

Social Media, Bannering, Native Advertising

# Timing et budget

Lancement : le vendredi 07.05.2021

Durée de campagne : 1 mois (minimum)

Budget global : 72.000 EUR

dont média réseaux sociaux et bannering : 35.000 EUR



## CAMPAGNE DE COMMUNICATION

Face au logement,  
c'est illégal d'être inégaux

# Banner + Native Advertising



## AWARENESS + TRAFFIC

Facebook / David / Google / ImmoVlan / ImmoWeb

Une campagne digitale présente différents avantages :

- Un ciblage beaucoup plus précis que ce que proposent les médias traditionnels,
- Une optimisation du budget afin de faire durer la campagne dans le temps,
- De rediriger le public-cible en un clic vers le site [alouermais.brussels](http://alouermais.brussels)

**IMMOWEB** À vendre À louer Estimer Agences Services Publier une annonce Se connecter FR ▾

Bruxelles (Arrondissement) X Un autre lieu ? Louer Appar... Prix Chambres Plus de filtres +

Liste (8 832) Carte (4 892) Sauver la recherche

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1 2 ... 295 > Trier : Pertinence

**NOUVEAU**

**Appartement**  
850 € (+ 110 €)  
1 ch. · 54 m<sup>2</sup>  
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Entre Stockel et Mater Dei - appt. meublé 1ch avec parking

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**Sponsorié**  
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780 000 €  
2-3 ch. · 111-137 m<sup>2</sup>

**Face au logement, c'est illégal d'être inégaux.**

Découvrez vos droits sur [alouermais.brussels](http://alouermais.brussels)

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Découvrez vos droits sur [alouermais.brussels](http://alouermais.brussels)

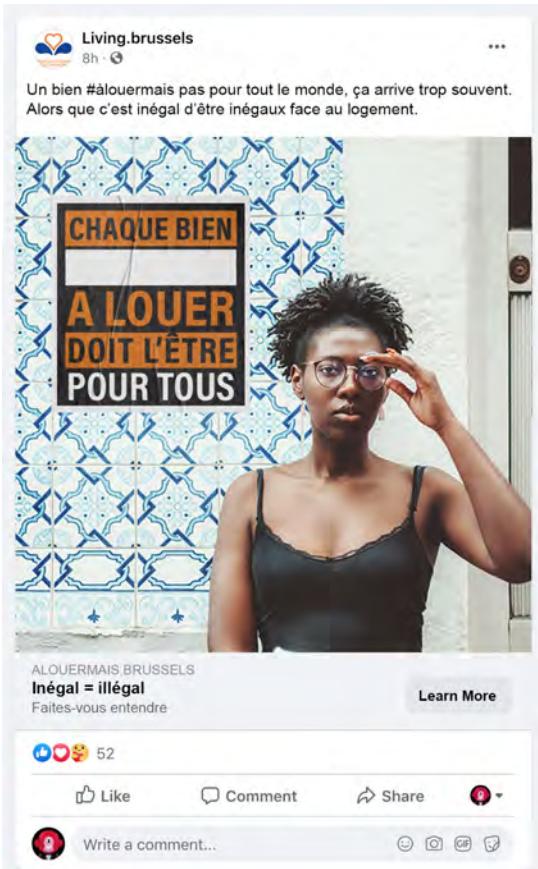
**BRUXELLES LOGEMENT**  
SERVICE PUBLIC RÉGIONAL DE BRUXELLES

## CAMPAGNE DE COMMUNICATION

**Face au logement,  
c'est illégal d'être inégaux**

# Social Media

Facebook



Instagram



4 visuels  
en rotation



CAMPAGNE DE COMMUNICATION

Face au logement,  
c'est illégal d'être inégaux

# Site

Informier les candidats-locataires et les locataires sur les différentes discriminations.

Informier les propriétaires-bailleurs sur la ligne de conduite à adopter et les sensibiliser aux éventuelles sanctions.



**À louer mais...**

**Signaler une discrimination** FR | NL

**Vos coordonnées\* :**

Prénom :  Nom :

Email :

Code Postal :

**Vous êtes :**

Victime  Témoin

**Type de discrimination\* :**

- Refus de logement / absence de réponse à une candidature
- Petite annonce discriminatoire
- Propriétaire ou agent immobilier qui demande des informations excessives
- Refus d'aménagement raisonnable (handicap)
- Harcèlement
- Autre

**Motif de discrimination\* :**

- Revenus / situation financière
- Nationalité, origine, couleur de peau, langue
- Sexe (homme/femme/x)

## CAMPAGNE DE COMMUNICATION

Face au logement,  
c'est illégal d'être inégaux

# Affiche

La campagne sera également traduite en affiches, reprenant les codes du visuel de l'affiche A LOUER, afin d'avoir un impact visuel auprès des locataires ou candidats-locataires concernés qui peuvent éventuellement être en situation de fracture numérique.



CAMPAGNE DE COMMUNICATION

**Face au logement,  
c'est illégal d'être inégaux**

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## GARANTIR LE DROIT AU LOGEMENT



### ACTION 24 : AMÉLIORER LA LUTTE CONTRE LES DISCRIMINATIONS AU LOGEMENT

#### CONSTATS

Entre 2016 et 2017, la Région de Bruxelles-Capitale a lancé une campagne à grande échelle de tests de situation afin d'évaluer précisément les pratiques discriminatoires à la location auprès des agences immobilières actives sur le territoire régional. Cette campagne a révélé, par le biais de tests de situation et de clients mystère, l'existence de chiffres alarmants en termes de pratiques discriminantes<sup>27</sup>.

Face à ces constats, le Parlement bruxellois a adopté, en décembre 2018, une ordonnance qui autorise les inspecteurs de Bruxelles Logement à recourir à des tests de discrimination pour détecter et constater des infractions et, le cas échéant, à appliquer des sanctions administratives. Ces nouvelles dispositions sont entrées en vigueur en septembre 2019. Le gouvernement entend pleinement les mettre en œuvre et, après évaluation, renforcer ce dispositif.

#### ACTION

Mise en place d'un groupe de travail composé de représentants de Bruxelles Logement, d'UNIA, de l'IIEFH, d'equal.brussels et de Pieter-Paul Verhaeghe qui procédera à l'évaluation de l'Ordonnance du 21 décembre 2018 et établira des recommandations d'ordre réglementaire, législatif ou organisationnel afin de renforcer l'efficacité du dispositif régional de lutte contre les faits de discrimination dans l'accès au logement.

**Renforcer les dispositions du Code bruxellois du Logement relatives à la lutte contre la discrimination.**

**Assurer les moyens humains nécessaires pour augmenter le nombre de dossiers instruits par la DIRL.**

**Lancer une campagne de communication afin d'informer les candidats-locataires quant à leurs droits face aux discriminations qu'ils pourraient subir. En parallèle, assurer une information continue des citoyens bruxellois via internet, par téléphone et aux guichets.**

27. <https://logement.brussels/actualites/pratiques-discriminatoires-a-la-location-les-resultats-de-letude>



## RESPONSABLES ACTION

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- Ministre compétent : la secrétaire d'État en charge du Logement et de l'Égalité des chances
- Pilote : Bruxelles Logement (DIRL)
- Partenaires : UNIA, IEFH, equal.brussels

## DÉVELOPPEMENT

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De nombreux Bruxellois sont victimes de discriminations lors de la recherche d'un logement. En faisant obstacle à leur droit constitutionnel au logement, ces discriminations constituent une violence qui a des conséquences néfastes sur le quotidien des personnes concernées.

L'ampleur de ce type de discriminations a été documenté dans plusieurs études scientifiques dont celle menée par Unia en 2014 et intitulée « Le Baromètre de la diversité dans le logement » et celles menées en 2017 et 2019 par l'Université de Gand et la VUB<sup>28</sup>. Plus récemment, une nouvelle étude a mis en lumière l'effet négatif du confinement sur l'ampleur des discriminations au logement en Région de Bruxelles-Capitale<sup>29</sup>. Face à ces constats, le gouvernement s'engage à poursuivre une politique active de lutte contre les discriminations sur le marché du logement.

Les outils prévus dans l'Ordonnance du 21 décembre 2018 modifiant le Code bruxellois du logement afin de renforcer la lutte contre la discrimination dans l'accès au logement seront évalués et, le cas échéant, renforcés afin notamment de permettre à l'inspection d'agir de manière proactive.

Une modification du Code bruxellois du Logement sera également proposée afin d'assurer une transposition correcte de la directive européenne 2004/113 mettant en œuvre le principe de l'égalité de traitement entre les femmes et les hommes dans l'accès à des biens et services et la fourniture de biens et services, dite « directive biens et services ».

Le gouvernement renforcera la législation en intégrant notamment de nouveaux critères de discrimination tels que l'identité de genre, l'expression de genre et les responsabilités familiales.

## CONSULTATIONS RÉALISÉES

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Bruxelles Logement, UNIA, IEFH, Equal.brussels, Prof. Pieter-Paul Verhaeghe

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28. <https://logement.brussels/actualites/pratiques-discriminatoires-a-la-location-les-resultats-de-letude>

29. Pieter-Paul Verhaeghe & Abel Ghekiere (2020) The impact of the Covid-19 pandemic on ethnic discrimination on the housing market, European Societies, DOI: 10.1080/14616696.2020.1827447



## MODIFICATIONS LÉGISTIQUES

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- Code bruxellois du Logement
- AGRBC du 21 mars 2019 portant exécution de l'ordonnance du 21 décembre 2018 modifiant le Code bruxellois du Logement afin de renforcer la lutte contre la discrimination dans l'accès au logement

## DÉLAIS DE RÉALISATION

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2020 :

- Mise en place d'un groupe de travail chargé de procéder à l'évaluation de l'Ordonnance du 21 décembre 2018 et remise de son rapport à la secrétaire d'État au Logement.
- Elaboration de la campagne de sensibilisation

2021 :

- Diffusion de la campagne de sensibilisation
- Engagement de 3 ETP supplémentaires
- Modification des dispositions du Code du Logement relatives à la lutte contre la discrimination

## INDICATEURS DE SUIVI

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Indicateur principal : nombre de dossiers instruits par la DIRL

Indicateurs secondaires :

- Nombre de plaintes reçues par la DIRL
- Nombre de tests de discriminations menés par la DIRL
- Nombre de sanctions administratives prononcées par la DIRL

## ESTIMATION BUDGÉTAIRE

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Une campagne de communication est prévue en 2021 pour 73.000 €.

À partir de 2021, un renforcement de la DIRL est prévu (2A1 + 1C1) soit 75.000 € la première année et 151.000 € en année pleine.

(en milliers d'euros)	2020	2021	2022	2023	2024
Inclus dans le budget	73	-	-	-	-
Nouvelle politique	-	75	151	151	151





# European Societies

ISSN: (Print) (Online) Journal homepage: <https://www.tandfonline.com/loi/reus20>

## The impact of the Covid-19 pandemic on ethnic discrimination on the housing market

Pieter-Paul Verhaeghe & Abel Ghekire

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## The impact of the Covid-19 pandemic on ethnic discrimination on the housing market

Pieter-Paul Verhaeghe  <sup>a</sup> and Abel Ghekiere  <sup>a,b</sup>

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### ABSTRACT

This explorative study examines the impact of the Covid-19 pandemic on ethnic discrimination. By means of 482 pairwise matched correspondence tests in pre-Covid times and 440 tests in Covid times, we examine discrimination against candidates of Maghrebian and Congolese origin on the housing market of a metropolitan city in Belgium. While the absolute invitation rates decreased for both Maghrebian and Belgian candidates at almost the same pace in Covid times, the relative net rate of discrimination of Maghrebian candidates increased significantly from 20% to 36%. With respect to candidates of Congolese origin, the absolute invitation rate only decreased sharply for Belgian candidates but not for Congolese candidates, with declining relative net rates of discrimination from 17% to 6% as a consequence. This suggests that the effect of Covid-19 on discrimination is different for different ethnic groups.

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## 1. Introduction

The global Covid-19 pandemic was a dramatic event that took the world by storm. Governments were forced to suddenly impose a lockdown and physical distancing measures in order to control the transmission of this highly contagious disease. Moreover, the pandemic caused a growing stigmatization of Asians and other ethnic groups all over the world (Noel 2020). Still, little is known about the impact of the Covid-19 pandemic on ethnic discrimination.

Recent studies have reported about Covid-19 associated discrimination, perceived by especially Asian groups, in the US (Liu *et al.*

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2020), in Poland (Rzymski and Nowicki 2020) and in the world in general (He *et al.* 2020). These studies rely, however, on survey data and measure perceptions of discrimination instead of actual discriminatory behaviour. Moreover, because the pandemic was unanticipated and can be considered as a so-called ‘focusing event’ (such as natural disasters and industrial accidents) the impact is hard to study. Social scientists expect that focusing events are powerful to mobilize social groups (Birkland 1998), but it lies in their nature to be unpredictable, which makes it difficult to measure their impact because there are often no baseline data (Borell 2015). As a consequence, we do not know yet whether the Covid-19 associated discrimination reported in studies is really caused by the pandemic or is merely reflecting previous patterns of discrimination.

This study aims to address both caveats from previous research by comparing discriminatory behaviour just before and during the Covid-19 pandemic. We analyse the effect of the pandemic on ethnic discrimination on the housing market in a larger, metropolitan city in Belgium. Discriminatory behaviour by real estate agents is measured by means of the field experimental technique of correspondence tests. Our baseline model are the results from an ongoing study on ethnic discrimination just before the pandemic. We supplement these baseline data with new data on ethnic discrimination collected during the pandemic.

To the best of our knowledge, there are no theories available about the impact of focusing events on ethnic discrimination. Therefore, we try to apply the logic of existing theories of discrimination on the pandemic. We derive hypotheses from the two dominant economic theories to explain discrimination (taste-based and statistical discrimination) and three social-psychological theories (social identity, realistic group conflict and integrated threat theories). Although we build on these theories to make hypotheses, this explorative study cannot explicitly measure the theoretical mechanisms.

Several hypotheses about the impact of the pandemic on ethnic discrimination could be derived from theories. Social identity theory states that people tend to categorize themselves and others in ethnic in- and outgroups, in which within-group differences are minimalized and between-group differences are maximized (Tajfel and Turner 1979). Moreover, positive characteristics are associated with ingroup members, while negative characteristics are assigned to outgroup members. This results in favouritism towards the own ethnic group and discrimination against the ethnic outgroup. The Covid-19 pandemic might, however, temporary blur these existing ethnic boundaries and



instigate a kind of general social identity, by which all inhabitants are ‘united under the flag’. According to this reasoning, the pandemic would lead to less ethnic discrimination (hypothesis 1).

However, several theories would predict more instead of less ethnic discrimination in Covid times. The economic theory of statistical discrimination argues that real estate agents use the average (statistical) characteristics of ethnic groups to make decisions (e.g. concerning income levels or family size), especially when detailed information about individuals is lacking or costly to acquire (Arrow 1971; Phelps 1972). This mechanism of statistical discrimination plays more when there is more demand for housing which makes discrimination cheaper, or when it becomes more costly to invite a candidate for a visit. As far as the lockdown and physical distancing measures of the pandemic caused one or both of these factors, Covid-19 would result in more statistical discrimination. Moreover, in the context of Covid-19, real estate agents have also no information about whether a rental candidate is contagious or not. Therefore, they could rely on (their perception of) the average contagiousness of ethnic groups to decide which candidate to invite for a visit and which not. Because in the Belgian media ethnic minorities were often portrayed as having a higher likelihood to be infected with Covid-19 (although there are no official statistics in Belgium yet about the Covid-19 prevalence per ethnic group), this could result in more statistical discrimination too.

Also the realistic group conflict theory takes the competition between ethnic groups into account. This social-psychological theory states that competition for access to limited resources leads to conflict between ethnic groups (Sherif 1966; LeVine and Campbell 1972). Other ethnic groups are considered as outgroups, with whom one has to compete for scarce resources. This theory has later been expanded to include the mere perception of conflict instead of real conflict (Esses *et al.* 1998). The lockdown during the Covid-19 pandemic in Belgium might have increased the competition for decent housing in Belgium, or at least the perception of this competition. Following realistic group conflict theory, the predominantly white real estate agents in Belgium might have responded to this increased (perceived) competition on the rental market by discriminating more against ethnic minorities.

In addition, the integrated threat theory of prejudice of Stephan and his colleagues (1998) adds three types of threat to realistic threat: symbolic threat, intergroup anxiety and negative stereotypes. Especially these latter two types might have played a role during the Covid-19

pandemic. People could feel anxious in interactions between ethnic groups because they are concerned about negative outcomes. When negative stereotypes about ethnic outgroups embody threats to the ethnic ingroup, these stereotypes might serve as expectations about the behaviour of these outgroups and induce ethnic discrimination. In line with this theory, Noel (2020) found that the Covid-19 pandemic came along with more negative stereotyping of ethnic minorities. These stereotypes might have increased intergroup anxiety with more ethnic discrimination on the housing market, because realtors dislike encountering ethnic minority rental candidates out of fear of contamination. In sum, both increased competition, realistic threat, intergroup anxiety and negative stereotypes could have led to more discrimination against ethnic minorities in Covid times (hypothesis 2).

The economic theory of taste-based discrimination would, however, state that the pandemic has little impact on ethnic discrimination. According to this theory, real estate agents or their customers have certain ethnic preferences ('tastes' or 'animus') concerning the kind of renters they want to let to, leading to discrimination against ethnic minorities (Becker 1971). If we assume that these ethnic tastes are not changed by the pandemic, taste-based discrimination would stay unchanged during Covid-19.

Furthermore, it is also possible that the first and second hypotheses are simultaneously at work and neutralize each other's effect with no change in ethnic discrimination during the pandemic too. Therefore, our third hypothesis is that ethnic discrimination remains the same during the Covid-19 pandemic (hypothesis 3).

Finally, it might be that the impact of the pandemic is different for different ethnic groups (hypothesis 4). According to this hypothesis, the unifying effect of the pandemic would lead to less discrimination against one ethnic group, while the realistic threat, intergroup anxiety and negative stereotypes would lead to more discrimination against another ethnic group.

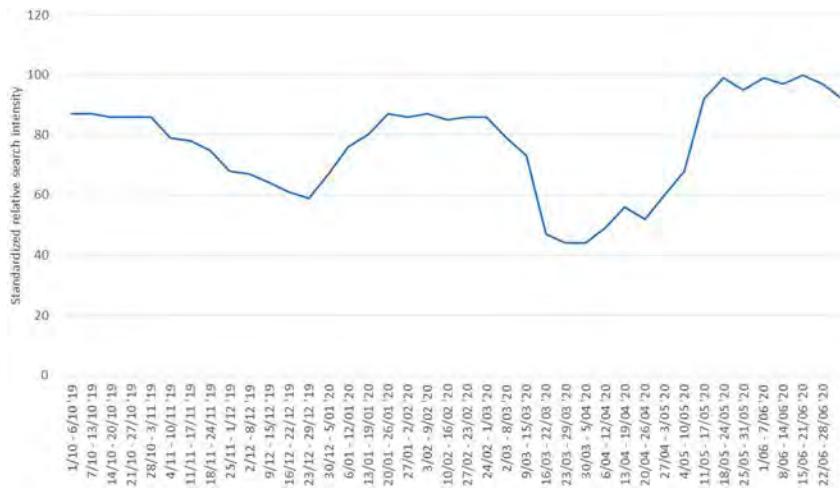
## 2. Data and methodology

Ethnic discrimination was measured through the field experimental technique of correspondence tests. In correspondence tests on the housing market, two candidates apply for rental advertisements and ask whether they could visit the dwelling. Both candidates are as similar as possible and only differ with respect to their ethnic origin. Afterwards,

the reactions of real estate agents to both candidates are compared. When the minority group is significantly worse treated, this is considered as evidence for ethnic discrimination. Correspondence tests are already used for decades to examine discrimination on the housing market (Auspurg *et al.* 2019; Flage 2018; Quillian *et al.* 2020) and are considered as the ‘golden standard’ to measure discriminatory behaviour (Health and Di Stasio 2019).

For this study, we used data on ethnic discrimination on the rental housing market of a larger, metropolitan city in Belgium. Before the outbreak of the Covid-19 pandemic, we were collecting data in this city from October 2019 until the 18th of March 2020. We call this period of data collection the ‘pre-Covid times’. On the 18th of March, we were abruptly forced to stop our data collection because of the government measures against the pandemic. The Belgian government ordered a so-called lockdown, in which all non-essential shops were closed and non-essential physical encounters outside the family were forbidden. As a consequence, visits of rental dwellings by candidates were not allowed too. Two months later, the government cut down on a few measures and visits were again allowed from Monday the 18th of May and onwards. Therefore, we started to collect data again by sending requests for visits from Thursday the 15th of May until the beginning of June 2020. This period of data collection can be considered as ‘Covid times’.

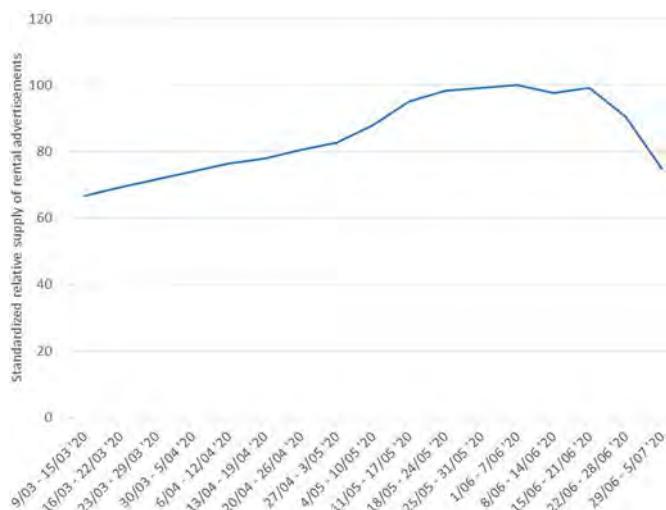
The lockdown had a clear impact on the demand for rental dwellings in Belgium. Following McLaren and Shanbhogue (2011) and Wu and Brynjolfsson (2015), google search data can be used to roughly estimate this rental demand. Google provides free data in their Google Trends section about the relative popularity of search terms on Google. *Figure 1* shows the relative popularity of the search terms ‘Immoweb’ and ‘Zimmo’ on Google in Belgium during the research period. Immoweb and Zimmo are the largest and most popular websites for buying and renting real estate in Belgium. We assessed the joint search intensity for both websites with Boolean operators. The results are standardized by Google Trends, with the highest popularity during the time period scoring as 100 units. Although far from a perfect indicator for rental demand (see discussion section), the numbers in *Figure 1* show a clear relative drop in searching a dwelling on Google in the first week of the lockdown. The standardized, relative search intensity for Immoweb and Zimmo plummeted from 73 to 47 in only one week. However, during the first weeks of April the rental demand started to recover and reached by the 18th of May 2020 levels which are even



**Figure 1.** The standardized, relative joint search intensity for 'Immoweb' and 'Zimmo' on Google in Belgium.

higher than pre-Covid levels. This level of search intensity remained very high during our data collection in Covid times, which suggests that people not cancelled, but only postponed their demand for rental dwellings.

In addition, the available rental stock was affected by the lockdown too. **Figure 2** shows the relative number of rental advertisements on



**Figure 2.** The standardized, relative supply of rental advertisements on Immoweb.



Immoweb in the city under scrutiny from the first week of the lockdown in March until the end of June. Unfortunately, we do not have complete numbers covering the period before the lockdown or for Zimmo. We standardized this indicator against its maximum score. It appears that during the lockdown the available rental stock grew gradually until the first week of June, probably because the rental demand plummeted. Taking the indicators of rental demand and supply together, this means that our data collection in Covid times was on a rental market with both increasing demand and supply. In other words, the realtors had much more work, with probably lower invitation rates in general.

During both periods of data collection, the sampling frame consisted of rental advertisement published on Immoweb and Zimmo. To avoid suspicion among realtors, only one advertisement per week was sampled per real estate agency. In addition, advertisements for very expensive dwellings with a rental price higher than € 2000 per month were excluded from the sampling frame. We follow the pairwise matching procedure, in which two (fictitious) candidates apply each time on the same advertisement. The candidates applied through a standard mail message of the rental websites (and not in-person or by phone). These messages were short and in correct Dutch.

We examined discrimination against candidates of Maghrebian and Sub-Sahara Central-African origin. While the Maghrebian community is the largest ethnic minority group (14% of the inhabitants) and has a long migration history in the city under scrutiny, the Sub-Sahara Central-African community is rather small (only 1% of the inhabitants). Previous research has shown that both ethnic minority groups are discriminated against in Belgium (Van der Bracht *et al.* 2015; Verhaeghe *et al.* 2017; Verstraete and Verhaeghe 2020). Unfortunately, we could not examine the discrimination against candidates of Asian origin, because we did not have baseline data for this group. During the field experiments, the first rental candidate was each time of Maghrebian or Congolese descent (test person), while the second candidate was of Belgian descent (control person). Realtors who dislike a particular candidate often inaccurately tell that the property is no longer available. By first sending the test person and afterwards the control person, we were able to assess whether the property was really unavailable. Following previous studies (Carpusor and Loges 2016; Van der Bracht *et al.* 2015), the ethnic origin of the candidates was signalled through their names. After contacting the realtors, their reactions were collected for seven days.

In pre-Covid times, we could complete 248 pairwise matched tests in which Maghrebian candidates were compared with Belgian candidates, and 234 tests in which Congolese candidates were compared with their Belgian counterparts. During the Covid period we performed 220 pairwise matched correspondence tests in which Maghrebian candidates were compared with Belgian candidates and 220 tests in which Congolese candidates were compared with Belgian candidates. In total, we performed 922 pairwise matched correspondence tests on ethnic discrimination.

To analyse the impact of Covid-19 on ethnic discrimination on the housing market, we will compare the discriminatory patterns between pre-Covid and Covid times. Pairwise matched correspondence tests have four possible outcomes: both candidates receive an invitation to visit the property ( $n_{11}$ ), only the control person of Belgian origin is invited ( $n_{21}$ ), only the test person of Maghrebian or Congolese origin is invited ( $n_{12}$ ), or neither are invited ( $n_{22}$ ). We speak about an invitation when the candidate is explicitly offered an opportunity to visit the property. This includes reactions where the realtor suggests a group viewing or asks the candidate to propose a date or to call the office or the current tenant to make an appointment.

First, we calculate the net rates of discrimination for both ethnic minority groups during both time periods. The net rate of discrimination is calculated by subtracting the number of cases where only the test person is invited ( $n_{12}$ ) from the cases where only the control person is invited ( $n_{21}$ ), divided by the number of cases where at least one candidate has been invited ( $n_{11} + n_{21} + n_{12}$ ). The assumptions, here, are that all cases of test person-favouring treatment are due to random factors and that random control person-favouring treatment occurs just as frequently as test person-favouring treatment (for more details, see Ondrich *et al.* 2000; Riach and Rich 2002). In addition, there is some debate about the situation when neither candidate is invited ( $n_{22}$ ). This outcome can be considered as equal treatment or as non-response (Riach and Rich 2002). The latter approach generates in general higher rates of discrimination than the former. In line with the manual of the International Labour Organization (Bovenkerk 1992), most studies consider this outcome as non-response (Riach and Rich 2002), since there is no information at all about whether there are discriminatory intentions or not. Significance levels of net rates of discrimination are calculated with the McNemar test statistic. The significance of the changes in net rates of discrimination between pre-Covid and Covid times is calculated with the z-statistic for comparing proportions.

In addition, we perform multilevel binary logistic regression analyses on the odds to be invited for a visit of the rental dwelling, in which we examine whether these odds significantly differ between the three ethnic groups and whether there is a significant interaction effect of the time period on these ethnic differences. Because of the matched structure of the data, in which two candidates apply for the same rental advertisement, the assumption of independence of observations is violated (Hox 2002). Moreover, during the research period real estate agencies were also tested multiple times. Therefore, we applied multilevel regression analyses in which observations (level 1) are nested in rental advertisements (level 2), which are nested in real estate agencies (level 3). From the null model, it appears that the variances of rental advertisements (=17.33 with a standard error of 0.278) and real estate agencies (=2183 with a standard error of 0.408) are significant ( $p < 0.001$ ). In these regression analyses, we control for the rental price and the dwelling type of the advertisement. The mean rental price was € 746.87 per month with a standard deviation of € 210.11. With the variable 'dwelling type' we distinguished between 'apartment' (90.5%) and 'no apartment' (9.5%). It appears that the mean monthly rental price was significantly ( $p < 0.001$ ) higher in the pre-Covid sample of advertisements (€ 786.89) compared with the Covid sample (€ 703.02). Also the share of apartments was significantly ( $p < 0.05$ ) different between the pre-Covid sample (89%) and the Covid sample (92% apartments).

### 3. Results

Table 1 shows the invitation rates and net rates of discrimination in pre-Covid and Covid times. When we first look at the invitation rates, it

**Table 1.** Invitation rates and net rates of discrimination in pre-Covid and Covid times.

	Maghrebian candidates compared with Belgian candidates		Congolese candidates compared with Belgian candidates	
	Pre-Covid times	Covid times	Pre-Covid times	Covid times
Both candidates are invited	69	38	65	48
Only majority candidate is invited	35	28	29	18
Only minority candidate is invited	12	3	11	13
None of the candidates are invited	132	151	129	141
Sample size	248	220	234	220
Invitation rate majority candidate	42%	30%	40%	30%
Invitation rate minority candidate	33%	19%	32%	28%
Net rate of discrimination	20%	36%	17%	6%
McNemar test statistic	11.25***	20.16***	8.10**	0.81

\* $p < 0.05$ ; \*\* $p < 0.01$ ; \*\*\* $p < 0.001$ .

appears that the invitation rate for minority candidates are each time lower than these of majority candidates and that the invitation rates are lower in Covid times compared with pre-Covid times. These lower invitation rates reflect the larger time pressure of real estate agents in a context of a rapid rise of both rental demand and supply. The net rate of discrimination of Maghrebian candidates was 20% ( $p < 0.001$ ) in pre-Covid times and this rate increased to 36% ( $p < 0.001$ ) in Covid times. This increase in net rate of discrimination was significant ( $p < 0.01$ ). For Congolese candidates the net rate of discrimination was 17% ( $p < 0.01$ ) in pre-Covid times and this rate declined to 6% (not significant anymore) in Covid times. This decline in net rate of discrimination was significant too ( $p < 0.05$ ). These findings already suggest that the impact of Covid-19 is different for different ethnic groups.

**Table 2** presents the findings from multilevel binary, logistic regression analyses on the odds to be invited to view the rental dwelling. From model 1, it is clear that the odds of Maghrebian and Congolese candidates to be invited to visit the rental dwelling is significantly lower than the odds of Belgian candidates (odds ratios of respectively 0.481 and 0.710). From model 2, it appears that the general invitation rates are significantly lower in Covid times than in pre-Covid times (odds ratio of

**Table 2.** Multilevel, binary logistic regression analyses of the odds to be invited to visit the rental dwelling ( $n$  observations: 1844,  $n$  rental advertisements: 625,  $n$  real estate agencies 259, odds ratios).

	Model 1	Model 2	Model 3	Model 4
<i>Ethnic origin</i>				
Belgian candidate (ref. cat.)				
Maghrebian candidate	0.481***	0.484***	0.588**	0.591*
Congolese candidate	0.710*	0.701*	0.595*	0.590*
<i>Time period</i>				
Pre-covid times (ref. cat.)				
Covid times		0.473***	0.478**	0.477**
<i>Interaction between ethnic origin and time period</i>				
Belgian candidate in covid times (ref. cat.)				
Maghrebian candidate in covid times			0.623	0.619
Congolese candidate in covid times			1.400	1.411
<i>Rental price per month</i>				
<i>Dwelling type</i>				
No apartment (ref. cat.)				
Apartment				1.252
Constant	0.466***	0.608**	0.603**	0.463
Log likelihood	8727.040	8767.590	8783.320	8802.286
Variance rental advertisement (standard error)	1907 (0.296)	1797 (0.284)	1796 (0.284)	1813 (0.287)
Variance real estate agency (standard error)	1506 (0.336)	1540 (0.334)	1558 (0.336)	1560 (0.339)

\* $p < 0.05$ ; \*\* $p < 0.01$ ; \*\*\* $p < 0.001$ ; ref. cat. = Reference Category.



0.473). In model 3, we examine whether the level of discrimination is significantly different in Covid times compared with pre-Covid times. This does not seem to be the case in this logistic regression analysis. Although the interaction effect is negative for Maghrebian candidates (odds ratio of 0.623) and positive for Congolese candidates (odds ratio of 1.400), these interaction effects are not significant. When taking the general lower invitation rates in Covid times into account, the ethnic inequalities in the odds to be invited are not significantly larger (in the case of Maghrebians) or smaller (in the case of Congolese) in Covid times compared with pre-Covid times. Further analyses show that the odds ratio of Maghrebian candidates is still significant ( $p < 0.001$ ) in Covid times (odds ratio of 0.306), but that the odds ratio of Congolese candidates is no longer significant (odds ratio of 0.804). These effects remain after taking dwelling characteristics into account in model 4.

In sum, the net rates of discrimination provide evidence for a significant impact of the Covid-19 pandemic on ethnic discrimination, while the multilevel binary logistic regression analyses do not show any significant effect of the pandemic on ethnic discrimination. There could be two explanations for these mixed findings. A first explanation is that the net rate of discrimination only takes the advertisements into account in which at least one candidate is invited ( $n = 738$ ), while the regression analyses cover all the advertisements ( $n = 1844$ ), including those where neither of the candidates is invited for a viewing. In additional analyses (see supplementary data online), we restricted the regression analyses to the data where at least one candidate is invited (in line with the data used to calculate the net rates of discrimination). In these additional analyses, the interaction effect between ethnic origin and time period was, however, not significant too. Therefore, we could disregard the first explanation. A second explanation is that the odds ratio for time period calculates whether the absolute differences between ethnic groups have significantly changed between pre-Covid and Covid times, while the net discrimination rates compares the relative differences between ethnic groups.

This difference between the methods was already visible from the comparison of Maghrebian with Belgian candidates in Table 1. In the context of declining general invitation rates in Covid times, the absolute differences in the invitation rates of Maghrebian and Belgian candidates were almost the same in pre-Covid times (42%–33% = 9%) compared with Covid times (30%–19% = 11%). The relative net rates of discrimination increased, however, from 20% to 36%. Therefore, we tend to follow the second explanation.



#### 4. Conclusion and discussion

This explorative study investigated the impact of the Covid-19 pandemic on ethnic discrimination. To the best of our knowledge, this is the first study that tackles this question with a proper pre-Covid baseline and with robust measures to measure discriminatory behaviour. By means of 922 pairwise matched correspondence tests, we compared discrimination against candidates of Maghrebian and Congolese origin on the housing market of a metropolitan city in Belgium.

The Covid-19 pandemic had a detrimental effect on discrimination against candidates of Maghrebian descent. While the absolute invitation rates decreased for both Maghrebian and Belgian candidates at almost the same pace in Covid times, the relative net rate of discrimination increased significantly from 20% to 36%. These results are in line with the economic theory of statistical discrimination of Arrow (1971) and Phelps (1972) and the integrated threat theory of prejudice of Stephan and his colleagues (1998). In the context of an abrupt increase in both rental demand and supply, real estate agents were under more time pressure and probably more ‘selective’. This might have triggered a growing perceived competition between ethnic groups. Together with Covid-19 related stereotypes about the Moroccan community and a fear of contamination, this could explain the increased relative discrimination against Maghrebian candidates.

With respect to candidates of Congolese origin, the pandemic appears to have no or even a beneficial effect. Here the absolute invitation rate only decreased sharply for Belgian candidates but not for Congolese candidates, with declining relative net rates of discrimination from 17% to 6% as a consequence. In Covid times, there was actually no significant difference in invitation rates anymore between Congolese and Belgian candidates. This suggests that the focusing event of the Covid-19 pandemic have blurred the ethnic boundaries between inhabitants of Congolese and Belgian origin.

Our findings suggest that the impact of Covid-19 on ethnic discrimination differs between different ethnic groups. Although more research is needed to examine the differences between the Maghrebian and Congolese groups on the Belgian housing market, we could offer a few potential explanations. In contrast to the Maghrebian group, the Sub-Saharan Central-African community is very small in the city under scrutiny, which could have caused less perceived competition among the predominantly Belgian real estate agents. In addition, realtors could perceive the



threat or average likelihood of being contaminated by Covid-19 as lower during an appointment with Congolese candidates compared with Maghrebian candidates. The Belgian media especially paid attention to the potential higher prevalence of Covid among the Maghrebian and Turkish communities in Belgium.

However, these conclusions have to be considered with caution, because the used methods provided only mixed evidence for the impact of Covid-19 on ethnic discrimination. Moreover, we did not explicitly examine the theoretical mechanisms underlying these changing discrimination patterns. This explorative study only derived hypotheses by building on existing economic and social-psychological theories of discrimination. Further research should dig deeper into the different theoretical mechanisms by interviewing realtors about their Covid-19 related stereotypes about ethnic groups and how they experienced the rental process in Covid times. In addition, research could investigate discrimination against other ethnic minority groups, for example Asian groups, given their stigmatization during the pandemic (Noel 2020). Furthermore, we cannot rule out the possibility that changes in net discrimination rates were driven by seasonal differences between October-March (first time period) and May-June (second time period) instead of the pandemic. Further research could examine this alternative explanation by investigating potential seasonal fluctuations in ethnic discrimination (e.g. by means of a meta-analysis of previous studies). Another limitation is the use of Google trends data to assess the rental demand. Google trends only provides relative rates of search intensity and not absolute rates. It might be that the absolute search intensity remained stable during the pandemic, but the relative intensity decreased because of the lockdown measures with more people at home searching the internet. However, when we look at the Google trends of more stable search terms which could not be affected by the pandemic (such as 'birth' and 'birth registration') we cannot find a similar drop in relative search intensity in Belgium during the lockdown. Finally, we recommend examining ethnic discrimination in other domains than the housing market too. Following the theory of statistical discrimination and the integrated threat theory of prejudice, we expect more discrimination in contexts where competition became fiercer (e.g. in some economic sectors) or where physical encounters is more proximate (e.g. in so-called contact jobs or during shopping).

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