

FAIR HOUSING NEWS



Produced by the Fair Housing Center of West Michigan

FHC's 2006 MEMBERSHIP DRIVE

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THANK YOU to Eastern Floral & Burgett Floral! THANK YOU to Fannie Mae, MDCR & HUD for your support!



2006 Membership Drive Co-Chairs Mary Alice Williams (left) and DeCarto Draper (right) help FHC Board Member Tim Reimink (center) distribute the 2006 Fair Housing Awards at the 19th Annual Fair Housing Luncheon & Workshop Series this past April.



Thank YOU to our 2005 MEMBERS!!!

THE FAIR HOUSING CENTER KICKS OFF ANNUAL MEMBERSHIP DRIVE

This year, our co-chairs are current Capital Campaign Committee Member DeCarto Draper and past FHC Board Member Mary Alice Williams. Contributions received through membership help the FHC provide education and enforcement of fair housing laws in West Michigan. In addition to working for Big Mac Masonry and D.B.E. Construction as a Manager, Mr. Draper serves as President of the West Michigan Minority Contractors Association, a support organization for minority construction contractors. Ms. Williams, one of the founders of the Fair Housing Center, is Executive Director of Arbor Circle. The mission of Arbor Circle is to promote healthy development by providing quality mental health, substance abuse, prevention and family development services in a caring partnership with our diverse community.

Membership is an important way to demonstrate our community's commitment to open housing and provides an opportunity for individuals and organizations to publicly state their support of the importance of ensuring equal access to housing choice. Members receive periodic

newsletters full of updates about cases and Fair Housing activities, copies of the Center's Annual Report and an invitation to nominate individuals and/or organizations for the Annual Fair Housing Award.

While the Center and the community have made great strides towards ensuring equal housing opportunity over the past 26 years, much remains to be done. Your membership will make it possible for the Fair Housing Center to continue its work towards ensuring equal access to housing choice for all of West Michigan's citizens.

To join the Fair Housing Center of West Michigan, please call (616) 451-2980. There are three levels available: Individual / Family (\$25), Business / Organization (\$50), & Corporate (\$100).

FAIR HOUSING AWARDS PRESENTED

The FHC received more nominations for annual fair housing awards than ever before. Thank you to all of you who nominated such worthy community members! We *really* appreciate your input! This year's Fair Housing Award Recipients are:

Outstanding Individual: Betty Zylstra, Director of Booth Family

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FAIR HOUSING AWARDS PRESENTED (CONT.)

Services as its Emergency Needs Director, Ms. Zylstra has been a Grand Rapids Housing Commissioner for 10 years. She also helped bring Habitat for Humanity to Grand Rapids.

Special Award in Memory of the Lifelong Personal and Professional Commitment: Donald Pruss. Mr. Pruss worked very hard in his lifetime to eliminate housing discrimination and to promote a diverse, open community; the award was accepted by his wife, Shirley Pruss.

Award for Outstanding Effort by an Organization that Has Furthered Fair Housing: Grand Rapids Association of Realtors (GRAR). Among other efforts, GRAR trains members in fair housing and diversity awareness, has a Cultural Awareness Committee, celebrates fair housing month, and participates in FHC's annual event.

APRIL EVENT A SUCCESS!!

FHC Staff and the Events Committee worked hard to present our 19th Luncheon & Workshop Series, "Changing the Landscape: Welcoming Everyone to Our Backyard." This year's event focused on making Grand Rapids a more welcoming community. The FHC offered workshops on these three timely topics: *NIMBYism: Understanding the Implications of Prejudice in Our Backyard; Community, Industry & Advocates: Partners in Fair Housing;* and *Perspectives on Diversity in Mortgage Lending.*



Luncheon Keynote speaker, Michael Allen, Senior Staff Attorney at the Bazelon Center for Mental Health Law, discussed the history of NIMBYism as well as its emerging forms. He shared eight things we can all do today to address the "real housing needs of all of our neighbors:

1. Participate in assessments of homelessness and affordable housing needs in our communities...and shine the light of public scrutiny on the findings and recommendations.
2. Insist that federal, state and local funds are spent on the needs identified in those plans, including appropriate levels of funding for fair housing enforcement by government and private groups like the FHC.
3. Complain when the state moves too slowly to liberate people with disabilities from institutional settings, as required by the ADA and the Supreme Court decision in the *Olmstead* case.
4. Require that every local and state government update its Analysis of Impediments to Fair Housing Choice, and conduct a community-driven self-evaluation to highlight progress and deficits.
5. Challenge local and state governments to adopt zoning and land use rules that encourage the development of affordable housing.
6. Ask local and state elected officials to adopt mandatory inclusionary zoning and "fair share" plans to ensure that affordable housing is built and integrated into every community.
7. Develop local and state funding sources for affordable housing, funded by real estate transfer taxes and other "mainstream" sources, so that all members of the community are sharing responsibility.
8. Enforce civil rights, including the "affirmatively furthering" obligation of the Fair Housing Act, by seeking to suspend or terminate federal funding to localities that are not taking steps to eliminate barriers to choice."

Thank you, Michael!!!

FAIR HOUSING LAWS APPLY TO CONDOMINIUM ASSOCIATIONS

Housing discrimination based upon race, color and national origin has been illegal since the passage of the Reconstruction Acts in 1865. The Federal Fair Housing Act passed in 1968 extending those protections to include religion and clarifying the application of the laws. An amendment adding gender protection was passed in the 1970's; familial status and disability status were added in 1988.

Unfortunately, the passage of laws alone does not end discriminatory conduct or policies, a point clearly exemplified by the situation with many condominium associations. Many associations have bylaws that violate federal, state and local fair housing laws, such as provisions prohibiting the sale or lease of a condo to certain age groups.

In FHC Case #04-099, condominium bylaws stated that property could not be transferred to and/or occupied by anyone under the age of 45. This provision violated both the familial status and age protections under state and federal law. The claimant in this case was the seller, wondering if he could be liable for a fair housing violation if he complied with the bylaw provision and refused to sell to anyone under the age of 45. FHC staff informed the claimant that condominium bylaws could not override protections guaranteed by fair housing law and therefore, in complying with the provision, he could expose himself to liability. The FHC was also able to work with the condominium association to revise the bylaws. Fair housing laws allow for an exception to the prohibition against familial status and age discrimination in the event the community is designated as a "senior community" (at least 80% of the units are occupied by someone over the age of 55 years old and there is programming geared towards seniors).

Overly restrictive occupancy standards in the condominium bylaws also violate fair housing laws in that they illegally discriminate against families with children. In FHC Case #01-135 a potential buyer of a condo contacted the FHC regarding the denial of her offer based upon the fact that there

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were too many people. The bylaws stated that condominiums could not be occupied by more than two people, regardless of the size of the unit. The claimant was attempting to purchase a two bedroom condominium for herself and her twin daughters. In lieu of legal action, the condominium association revised its bylaws to base occupancy on square footage consistent with building codes. Although the client chose not to live there in the end, their case opened up housing opportunity for others.

FHC Cases 01-112, 01-086, and 05-028 involved condominium bylaws limiting occupancy to "married couples and/or blood relatives." These provisions can also violate fair housing laws prohibiting discrimination based upon familial status and marital status. Familial status protection makes it illegal to discriminate against someone based upon the fact that they have a child under the age of 18 in their home; this protection extends to foster children, adopted children and any other child who is legally in the home. The marital status protection makes it illegal to treat someone differently in the rental or sale of a home based upon their marital status, be it single, married, divorced, widowed, etc. In each of these cases the condominium association was required to revise its bylaws to comply with federal, state and local protections.

Although the FHC has realized great success in the abovementioned cases, this only represents the tip of the iceberg or the few cases where people impacted by the illegal bylaws knew to contact the Center and were willing to advocate for change. The problem with violative bylaws goes much deeper and requires a more systemic approach. As such, the FHC is committed to working with interested condominium associations and/or their attorneys to review bylaws for compliance with fair housing laws. *If you are on a condominium association board, live in a condominium community or are interested in living in one and have run into illegal obstacles to your occupancy, please contact the FHC at 451-2980 for help.*

NATIONAL FAIR HOUSING NEWS

Missouri— A Missouri couple, who have lived together for 13 years, is suing the town of Black Jack., claiming that rules prohibiting the unmarried couple and their children from living together are unconstitutional. The city has refused to grant the couple an occupancy permit because they do not meet the definition of family according to the city, which is trying to preserve 'neighborhood character.' The couple must get married, or move, to comply with the current local housing ordinance. A North Carolina judge recently struck down a 201-year old law barring unmarried couples from living together.

Los Angeles— L.A. Clippers owner and real estate mogul Donald Sterling is being sued by the U.S. Dept. of Justice for housing discrimination. The DOJ claims that Mr. Sterling and his family trust refused to rent apartments to African Americans and families with children, treated prospective tenants poorly and misrepresented the availability of apartments. These actions violate the federal Fair Housing Act. Korean Land Company is also named as a defendant. Mr. Sterling was also sued in 2003 for discrimination against African American and Hispanic tenants in Koreatown; he was ordered to pay nearly \$5 million in fees to plaintiffs' attorneys last year.

WE'VE CHANGED OUR NAME BUT NOT OUR VISION FOR WEST MICHIGAN'S FUTURE!

The Fair Housing Center of Greater Grand Rapids is now the Fair Housing Center of West Michigan. This name change reflects an increased service area, including 10 counties surrounding Kent County: Ottawa, Muskegon, Allegan, Mecosta, Montcalm, Newaygo, Osceola, Isabella and Ionia.

Special Thanks to Chris Gray (City of Grand Rapids) and The W Group for our new logo!



WELCOME

TO OUR NEW BOARD MEMBER!

The FHC is pleased to announce that Dave Stellin, Senior Vice President and Mortgage Loan Officer for Republic Bank in Holland, has recently joined the FHC Board. Welcome, Dave! *Many* thanks to Charity Post of Independent Mortgage Company, for her service on our Board and Events Committee.

Best Wishes, Charity!



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of West Michigan**
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