

Summer 2010



FAIR HOUSING NEWS

Produced by the Fair Housing Center of West Michigan

Celebrating 30 Years of Fair Housing in West Michigan

2010 Fair Housing Awards Presented as Center Kicks Off Its 30th Anniversary

On April 22, 2010, the Fair Housing Center of West Michigan presented two Fair Housing Awards at its *23rd Annual Fair Housing Luncheon & Workshop Series*, underwritten by Bank of America, the Grand Rapids Association of Realtors and Mercantile Bank. Over 325 people watched as FHCWM Board Member Floriza Genautis and Lakeshore Advisory Board Member Amber VerBurg presented the awards to two fair housing advocates, Krystle Gist and the Michigan Department of Civil Rights.

Krystle Gist was presented the Outstanding Individual Award for her advocacy in the fair housing arena and for supporting equal, fair and affordable housing for all. Krystle was nominated because she is a strong advocate for fair housing who realizes the importance of ardently promoting equal housing opportunities for all throughout west Michigan. She is a woman of great courage and perseverance, which led her to passionately confront an act of housing discrimination she faced with her family in March 2009. While seeking a home for herself and her two children, Krystle was told that she would have to pay twice the advertised security deposit solely because she had children. She recognized the devastating impact that each discriminatory housing practice has on fair housing choice throughout west Michigan, and persevered to achieve a resolution not only for her and her family, but also for the west Michigan region.

The Michigan Department of Civil

Rights (MDCR) received the Outstanding Organization Award which was accepted by the Chief Operating Officer of the Governor's Office and MDCR Interim Director Daniel Krichbaum. MDCR was nominated because of its passionate commitment to eradicating illegal housing discrimination and promoting equal housing opportunity throughout the State of Michigan. The Department is dedicated to collaboration and partnership, and welcomes open discussions regarding constantly improving efforts to meet the fair housing needs of the State of Michigan. MDCR leads the nation in the fight against online discriminatory advertising. The firm position of the Department that online sources do have liability for the discrimination occurring on their websites is the proactive approach necessary to overcome a significant impediment to fair housing choice, not only in West Michigan, but also throughout the nation. The staff demonstrates an ardent passion for fair housing rights, while maintaining the dedication and professionalism necessary to efficiently and effectively resolve cases.

2010 Membership Drive Kicks Off

After the Award presentations, **Margaret Sieh** shared comments on behalf of herself and her co-chair Board Member **Troy Zapolski**, officially kicking off the 2010 Membership Drive. Through Margaret, Troy shared how he as General Manager of Land & Company has built and maintained a strong relationship with the Center, with an emphasis on education and collaboration. Margaret shared her own long-time experience with the Center as a past Board Member and volunteer. She stressed the need for continued fair housing services and the importance of supporting fair housing

through Fair Housing Center membership.

John Trasviña Addresses Luncheon, Hosts Press Conference

HUD Assistant Secretary for Fair Housing & Equal Opportunity **John Trasviña** provided the keynote address at the 23rd Annual event. In keeping with the theme of the event, "*Removing Barriers & Creating Opportunities: Building on 30 Years of Fair Housing in West Michigan*," Assistant Secretary Trasviña spoke about fair housing in the 21st century, specifically HUD's current priorities and challenges, which include current discriminatory advertising cases and the Communications Decency Act; housing rights of the Gay, Lesbian, Bisexual and Transgender community, and the utilization of Section 3. Section 3 is a provision of the Housing and Urban Development Act of 1968 that requires that recipients of certain HUD financial assistance, to the greatest extent possible, provide job training, employment, and contract opportunities for low- or very-low income residents in connection with projects and activities in their neighborhoods.

After the luncheon, Assistant Secretary Trasviña hosted a press conference announcing more than \$1.1 million in fair housing funds to agencies across Michigan. The Fair Housing Center of West Michigan was awarded nearly \$275,000 as part of a three-year grant. "The organizations we are funding are expected and trusted groups that emerged from a very competitive process," Trasviña said in a statement. "They will help HUD enforce the law (Continued on Page 2 inside...)"

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and educate the public about their rights and responsibilities under the law."

Educational Morning Workshops

The FHCWM held three comprehensive and timely workshops this year. The first workshop, **Implementing Our Community Response to Foreclosure: What Can I Do?**, built upon conversations from last year's workshop and featured a recently released community response plan as well as a vigorous discussion on what roles individuals can play to contribute to solving the foreclosure crisis. Debby Goldberg of the National Fair Housing Alliance framed the issue from the national perspective. Gustavo Rotondaro of the Community Research Institute of Grand Valley State University provided foreclosure-related data at the neighborhood level to highlight the particular challenges facing each community in the Kent County area. Kym Spring, of the local Foreclosure Response, presented the "Comprehensive Response Plan: Addressing the Foreclosure Crisis" with an emphasis on the opportunities for involvement.

The second workshop, **Am I Welcome to Live Here? Analyzing the Impact of Discriminatory Advertising**, focused on the impact of discriminatory advertising on housing choice. The panel shared current trends, cases and two new reports. Cat Cloud of the National Fair Housing Alliance discussed "For Rent: No Kids! How Internet Housing Advertisements Perpetuate Discrimination" and recommendations for action. Mira Tanna of the Metropolitan St. Louis Equal Housing Opportunity Council shared information from "Selective Marketing: A Report on Senior Housing Providers Compliance with Fair Housing Act Advertisement Requirements." John Obee of Wood, Kull, Herschfus, Obee & Kull shared information on a landmark advertisement case in southeast Michigan. Elizabeth Vezino, the FHCWM's Director of Advocacy, provided information on current cases and trends in west Michigan. This workshop was made possible with the support of the Kent County Senior Millage.

*Kent County
Senior Millage*

The third workshop, **Why Can't I Buy the Home I Want? Addressing Barriers to Developing Fair, Affordable Housing** covered a range of issues that builders and developers are facing that are resulting in higher costs and fewer affordable homes being developed, thereby creating a disparate impact and decreasing equal housing opportunity. The panel included John Bitely of Sable Developing; Doretha Ardoin of Grand Moves Realty, Planning & Development Consultant Deborah Myerson and Anne Houghtaling of the National Fair Housing Alliance. This workshop was presented in partnership with the Workforce Housing Development Committee of the Home & Building Association of Greater Grand Rapids.

National Fair Housing News

Ann Arbor, MI—The Fair Housing Center of Southeastern Michigan assisted in the settlement of a fair housing and new construction case. Michael Lowrey and his mother Marilyn accepted \$227,500 from Uptown in Canton Apartments to settle the case; the Center received \$45,000. The settlement includes retro-fitting of all 97 first-floor units, the provision of accessible routes throughout the entire property and the addition of accessible parking. He contacted the Center because his barrier free apartment had accessibility problems. The Center found only 4 of the first-floor units in the new complex were accessible as well as problems with the sidewalks and lack of access to common areas such as the mailboxes and pool.

Local Fair Housing News

Complaint #09-192—The FHCWM opened a complaint after becoming aware of a condominium association with by-laws requiring that all residents be at least 50 years old. This rule was used to illegally deny families with children the opportunity to reside there. The Fair Housing Act provides an exemption to the familial status provision for communities that intend to operate as housing for older persons, either for persons 55 and older or 62 and older, but there is no exemption which allows communities to state a minimum age requirement of 50 years old for all residents. As such, the FHCWM filed a complaint with the U.S. Department of Housing and Urban Development (HUD) alleging discrimination on the basis of familial status. As a result, the FHCWM was able to meet with Condominium Association Board members and explain their rights and obligations under the Fair Housing Act, including the housing for older persons exemption and the qualifications for such exemption, and the Association Board members agreed to amend their by-laws to ensure compliance with the Fair Housing Act. The Association Board subsequently established the Condominium Association as a senior community for those 55 and older and continues to work with the FHCWM toward meeting the qualifications for housing for older persons.

FHCWM Staff Update

The FHCWM wishes our former Test Coordinator Lucia Belassi White much success in her new role as Assistant Coach of Women's Field Hockey at the University of Michigan. We are pleased to welcome Michelle Charette as our new Test Coordinator. Michelle has volunteered with the Center in the past and has experience within the housing industry. Welcome Michelle! We would also like to thank Rev. David May for his 3 years of dedication to the mission and work of the Center.



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Celebrating 30 Years of Fair Housing in West Michigan: 1980 to 2010 (continued)...

The September 1979 Conference sponsored by the Grand Rapids Public Schools identified a priority "to provide adequate housing for everyone." Robert Chase, Administrative Assistant to the President of Grand Rapids Junior College (now Grand Rapids Community College) agreed to chair the committee on housing. Carol Townsend and Cathy Creswell joined him and the three began to gather community resources that dealt with housing. This led them to Bobbi Butler of the City of Grand Rapids Equal Opportunity Department and Steve Langworthy, Kentwood City Planner. With this additional support from the representatives of two cities, the committee visited the already well-established Fair Housing Center in Detroit to learn more about providing equal housing opportunity. They borrowed and adapted their by-laws and method of operations in order to create a Fair Housing Center in Grand Rapids. The committee worked to gather community support and secured \$1,500 in "seed money" from the Dyer-Ives Foundation to establish the Fair Housing Center of Greater Grand Rapids. The Center was incorporated on September 4, 1980 to: "support and encourage equal opportunities in the Greater Grand Rapids area. In this connection, the Center will provide assistance to individuals pursuing legal rights and remedies related to fair housing, offer housing assistance and counseling, provide community education, promote community involvement, perform research in the area of housing, and promote good working relations with other housing agencies." Stay tuned to our newsletters for more of our **30 Year History** as we celebrate all year long!

Michigan Elected Officials Support \$52 Million in Fair Housing Funds for 2011

The FHCWM would like to thank the following elected officials for their support of fair housing this past spring: Senator Levin, Senator Stabenow, Congressman Ehlers, Congressman Hoekstra, Congressman Peters, and Congressman Conyers, Jr. They signed on to letters of support to the Subcommittee on Transportation, Housing and Urban

Development and Related Agencies, urging the Subcommittee to provide at least \$52 million in Fiscal Year 2011 for HUD's Fair Housing Initiatives Program (FHIP) based on recommendations of the National Commission on Fair Housing and Equal Opportunity, a bipartisan commission co-chaired by former HUD Secretaries Henry Cisneros and the late Jack Kemp. The letters stated that "Despite the passage of the Fair Housing Act more than 40 years ago, HUD estimates that more than 4 million fair housing violations still occur each year on the basis of race, color, national origin, disability, gender, religion and familial status. Of the estimated occurrences of discrimination, less than one percent of fair housing violations are ever reported; in 2008 there were 30,758 reported complaints. Such discrimination is more acute for families with children, many of which have been pushed into the rental market due to the foreclosure crisis, and for the disabled, who are often veterans facing a dearth of accessible housing options." FHIP funds private, nonprofit fair housing organizations that are the frontline in the effort to provide education and outreach regarding fair housing rights and obligations under federal, state and local fair housing laws. FHIP funds were approved at a historic high of \$42.5 million for Fiscal Year 2010, a dramatic 55% increase over FY 2009's funding of \$27.5 million.

Differences in Service and Treatment: What Can Be Learned from Mortgage Lending Testing

This year marks the 10th Anniversary of a Mortgage Lending project the FHCWM conducted for the Grand Rapids City Commission and Equal Opportunity Department. The results of the testing and how that can be applied in fair lending practice is still very relevant in today's market.

The Center conducted a series of 50 paired tests throughout Kent County to determine the difference, if any, in the content, quality and/or quantity of information provided by the lenders to testers who differed in race or national origin. A variety of lenders including both large and small traditional banks as well as private mortgage companies were tested. The FHCWM found evidence of discriminatory practices and difference in treatment in **39%** of tests completed.

The differences in treatment and information received consistently favored the White testers.

Differences in treatment included:

- Not receiving a Good Faith Estimate detailing an estimate of costs to complete the transaction
- Not offered an application
- Being told a credit history was necessary prior to disclosing any specific information regarding interest rates or products
- Being only given FHA loan information
- Being given information regarding the responsibility of becoming a homeowner
- Being quoted different interest rates or not given as much information
- Not receiving any follow up from the lenders

The differences in treatment and information serve as a substantial impediment to fair housing. While viewed in isolation some of the differences noted may seem small but taken as a whole, these differences have a devastating impact on the opportunities for African American and Hispanic American borrowers to obtain access to mortgages. It is commonly agreed that home ownership is the key to the "American Dream" in that it is the single largest asset for most American families. As long as these obstacles remain for African American and Hispanic homeseekers, their access to the "American Dream" is denied.

Fair lending laws require that each person is treated equally by the financial institution regardless of the protected classes under federal law: race, color, religion, national origin, sex, disability status, and familial status. Michigan law further protects people from being discriminated against based on their marital status and age. Some communities in Michigan have further protections within their local ordinances. Therefore it is important for lenders and members of the housing industry to consistently provide equal quality of treatment to all persons.

The FHCWM provides comprehensive fair lending training in 3-hour and 1-hour update formats. If you are interested in scheduling a training, call Liz Keegan at (616)451-2980.

Save the Dates! Upcoming Fair Housing Events

Lakeshore Friends of Fair Housing Breakfast: Save the Date!

The 4th Annual *Lakeshore Friends of Fair Housing: Opening Doors to Housing Choice* breakfast will take place at 8:30 am on **Wednesday, September 29, 2010** at the Historic Baker Lofts Building (formerly Till Midnight). This year's event will feature renowned fair housing attorney **John Obee** (of Wood, Kull, Herschfus, Obee & Kull), who will provide an overview of fair housing and a legal update. Please contact the FHCWM if you are interested in sponsoring and/or attending this significant event!

Summer Reading List:

Fair Housing Book Club Selections

- *To Kill a Mockingbird* by Harper Lee
- *The House on Mango Street* by Sandra Cisneros
- *Middlesex* by Jeffrey Eugenides
- *One Thousand White Women: The Journals of May Dodd* by Jim Fergus
- *The Memory Keeper's Daughter* by Kim Edwards
- *Annie's Ghosts: A Journey into a Family Secret* by Steve Luxenberg
- *The Help* by Kathryn Stockett
- *Them* by Nathan McCall

Fair Housing Trainings

The Fair Housing Center offers fair housing trainings, including Fair Housing & Advertising, Fair Housing Training for Rental Professionals and Fair Lending sessions. Costs vary depending on the type of training. Each training is 3 hours and includes a comprehensive packet of reference materials. Some sessions are held at the FHCWM office; we can also come to your location. Call Liz Keegan at (616) 451-2980 to learn more or register.

Check our website home page for upcoming dates: www.fhcwm.org.

The FHCWM hosts two **tester trainings** each month. Testers are volunteers that play the role of a homeseeker and receive a stipend in return for their time and services. In order to accommodate differing schedules, one training will take place during business hours while the other will be held in the evening. For the specific training dates, to register, or any other questions contact Michelle Charette at (616) 451-2980.

www.fhcwm.org
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