



# FAIR HOUSING NEWS

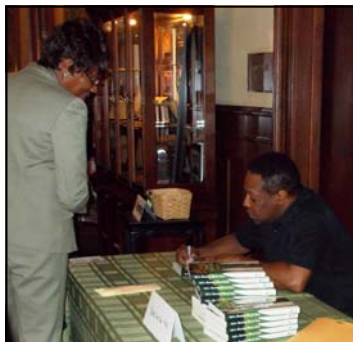
Produced by the Fair Housing Center of West Michigan

## Powerful Performance by Brian Copeland

The FHCWM is very pleased to announce the successful presentation of *Not a Genuine Black Man*, the one-man show featuring author and comedian Brian Copeland, on September 13, 2012 at St. Cecilia Music Center in Grand Rapids. Mr. Copeland shared his incredibly powerful and intensely personal story with humor and honesty. The show beautifully highlighted the complexity of diversity and self-identity as well as the resounding impact of housing discrimination. The FHCWM hopes the more than 475 attendees left the performance with an increased awareness of how where you live impacts how you live.

The FHCWM truly appreciates the incredible work of Brian Copeland and his producer, David Hines, for this special performance. The FHCWM also appreciates all of the support provided by our partners: GRAR & their Young Professionals Network, BLEND, Partners for a Racism Free Community, YWCA, CBS Outdoors, Chicago Title, HUD, Grand Rapids Community Media

Center, Wealthy Street Theatre. A BIG thank you to our sponsors, Chemical Bank and Crowe Horwath.



Brian Copeland signing copies of his book.

## Lakeshore Breakfast a Success!

The FHCWM hosted its 6th Annual *Lakeshore Friends of Fair Housing* breakfast on Tuesday, October 16th at the Midtown Center in Holland.

Keynote speaker **Jim McCarthy** provided a wonderful, content-rich presentation that included a brief history



Jim McCarthy

of fair housing, touched on accessibility, and included local and national cases. Mr. McCarthy is the President & CEO of the Miami Valley Fair Housing Center in Ohio and the Chair

of the National Fair Housing Alliance. His presentation, "*Developments in Fair Housing*," stressed that "healthy communities are diverse communities" and emphasized that healthy communities ensure housing choice. He also shared information on a proposed HUD regulation on disparate impact, the pending HOME Act, and the Equal Access to Housing Rule, which addresses the rights of the LGBT community in HUD housing.

Lakeshore Advisory Board President Dave Stellin (First Place Bank) opened the breakfast with an update on the state of fair housing. Since 2006, the FHCWM has investigated nearly 250 complaints of housing discrimination from the Lakeshore region; 51 of those complaints were opened since last year. In the last six years, the FHCWM has conducted more than 250 matched pair tests, finding evidence of significant

differences in 43% of those tests. The FHCWM has conducted over 80 fair housing trainings for homeseekers, housing industry personnel, and/or social service agencies.

Ruth Stegeman (Grand Valley State University) presented the 2012 Lakeshore Fair Housing award to **The Bank of Holland**, which was accepted by Jim Bishop. The Bank of Holland



Jim Bishop & Ruth Stegeman

organized and sponsored the first Lakeshore Breakfast and continues to be a champion of fair housing education opportunities. The Bank of Holland engages in proactive efforts to identify and immediately address real or potential fair housing issues, and undertakes continued efforts to enhance quality assurance.

Many thanks to our sponsors: PNC Bank, Chemical Bank, First Place Bank, the Bank of Holland and CityFlats Hotel.

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# ...FHCWM Notes & News...

## Education for Families with Children Dreams Realized

The FHCWM staff have had several opportunities to bring fair housing education to elementary school students through the support of grants from HUD's Fair Housing Initiatives Program and the Community Foundation of the Holland/Zeeland Area's Youth Advisory Committee. The FHCWM is fortunate to continue to partner with the Greater New Orleans Fair Housing Action Center (GNOFHAC) to provide materials to teachers, students, and families about their fair housing rights. This curricula is being developed in response to an increase in alleged discrimination against families with children in west Michigan over the last five years.

Thus far, the FHCWM has introduced the new curricula to 15 teachers and over 300 students in Grand Rapids, Zeeland, and Holland. The FHCWM utilizes the GNOFHAC's children's book, The Fair Housing Five & the Haunted House, as the basis for presentations with 1st—4th graders. The FHCWM developed companion materials, including a 'Fair Housing for Families with Children' brochure, that are disseminated with bookmarks and copies of the book to each student.

The curricula for 1st and 2nd graders includes an introduction to fair housing and the FHCWM, a reading of The Fair Housing Five, a discussion about being able to choose where you live, and five housing choices to discuss and color. The curricula for 3rd and 4th graders includes an introduction to fair housing and the FHCWM, a reading of The Fair Housing Five, a discussion on discrimination, and a worksheet on discrimination which is then compiled into a classroom book for each student.

The FHCWM has been overwhelmed with positive responses to this initiative. Some of the comments include: "The book was extremely developmentally appropriate!;" "The story sparked good conversations;" "I think the housing coloring activity and the questions were great to get the students thinking;" and "The students loved the story."

As part of the Community Foundation of the Holland/Zeeland Area grant, the FHCWM partnered with the Lakeshore Ethnic Diversity Alliance (LEDA) Summer Migrant Reading Program to bring The Fair Housing Five to two migrant camps to read and talk with the children. The book was read in English and translated into Spanish by LEDA



staff. Each child received a book, bookmark, and information on fair housing rights in Spanish.

Also under this grant, the FHCWM had the privilege to introduce the GNOFHAC's Housing Choice Game to three 5th grade classrooms at Lincoln Elementary in Zeeland. The game addresses issues of systemic inequality, access to opportunities, and poverty. This game demonstrates how housing discrimination limits access to educational, employment, healthcare, economic, and recreational opportunities for families.

In the first half of the workshop, the students worked in teams to develop their characters, determine their housing needs, create a household budget, and fill out housing applications based on their character's needs and monthly income. During the second half of the workshop, the students played the board game where they try to get housing and have different experiences based on their character's protected class(es). The students enjoyed the game and learned some powerful lessons. The FHCWM staff had a great time too. A BIG Thank You to our 5th Grade friends at Lincoln Elementary !!!

## Carlotta Walls LaNier Coming to Grand Rapids!

The 26th Annual Fair Housing Luncheon & Workshop Series will take place on **Thursday, April 25, 2013** at the Crowne Plaza Hotel in Grand Rapids. This event will feature **Carlotta Walls LaNier**, author of A Mighty Long Way and one of the Little Rock Nine students.

It is an honor to have Ms. Walls LaNier speak at this event because of the parallels with her journey and the fair housing movement. The FHCWM was founded as a means to promote the integration of schools through housing choice. Ms. Walls LaNier will talk about how where a family lives dictates the opportunities they have, especially education.



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## Fair Housing Best Practices: Occupancy Standards

Does your apartment complex, landlord or condominium association limit the number of people that can occupy a home? If so, how do you know if it is a “reasonable” occupancy standard?

The Fair Housing Act’s protections against discrimination on the basis of familial status prohibit occupancy standards that are used to exclude families with children or that unreasonably limit the ability of families with children to obtain housing.

Occupancy standards present a unique and complex set of fair housing issues and questions, with the most frequent question being: **what is considered a “reasonable” occupancy standard?**

The word “reasonable” is inherently subjective, and the issue of occupancy standards often brings confusion and uncertainty due to the lack of a nationally or routinely accepted rule or policy.

Many housing providers may employ the “general rule” occupancy standard of “two heartbeats per room” or “two persons per bedroom”, but there is no existing law or guidance that guarantees that such a standard complies with fair housing laws in all circumstances.

Perhaps the clearest federal guidance on allowable occupancy policies is found within an exemption in the Fair Housing Act, which specifically allows housing providers to adhere to reasonable local, State, or Federal restrictions regarding the maximum number of occupants permitted to occupy a dwelling (42 U.S.C. 3607(b)(1)). Such governmental restrictions may include local health and safety standards, building codes, property maintenance codes, minimum floor area requirements, and other similar governmental provisions.

### **What if there is no local standard?**

The HUD regulations implementing the Fair Housing Act do indicate that housing providers may develop and implement reasonable occupancy requirements of their own in appropriate circumstances, even in the absence of any

governmental occupancy restrictions (*see* HUD Preamble II, 24 C.F.R. ch. 1, subch. A, app. 1, 54 Fed Reg 3237). However, these privately initiated occupancy requirements should be established based upon legitimate, objective, non-discriminatory business reasons, as opposed to arbitrary or undocumented reasons, and their reasonableness may be challenged at any time. A memorandum issued by former HUD General Counsel Frank Keating on March 20, 1991 (available on the “Resources” page of our website) contains HUD’s existing policy guidance on the relevant factors it will consider in determining whether or not an occupancy policy is “reasonable”. It is imperative to note that this document is not intended to establish reasonable occupancy standards, but rather serves as a tool to be used when the reasonableness of such a standard has been challenged. Despite not establishing concrete rules, the relevant factors set forth by HUD serve as a guide, include, but are not limited to, the following:

- Size of bedrooms and unit
- Configuration of unit
- Other physical limitations of housing
- State and local law
- Other relevant factors

### **BEST PRACTICES:**

- Whenever possible, occupancy standards should be no more restrictive than local health and safety standards or other governmental restrictions that would limit the maximum number of occupants within the dwelling. If a property is not located within a jurisdiction with a local or state code, a housing provider may wish to adhere to the International Building Code, or the code of a comparable jurisdiction.
- In the absence of, or in lieu of, an applicable governmental restriction, housing providers wishing to enforce an occupancy standard should base their policy on documented, objective factors, which may include some of those listed above.
- Occupancy standards should be applied equally to ALL individuals.

## National Fair Housing News

WASHINGTON - HUD announced that Bank of America has agreed to pay up to \$161,180 to settle allegations of a refusal to refinance a woman’s mortgage because she was on maternity leave. Refusing to approve a mortgage loan or provide refinancing because a woman is pregnant or on family leave violates the Fair Housing Act’s prohibition against sex and family status discrimination. She was offered a 5% interest rate for a home refinance loan with no costs or fees; when she sought the loan a month later, the bank allegedly refused to process her application because of her maternity leave. She alleged she was told to return to work full-time so that her loan could be approved even though she received the same rate of pay and benefits while on maternity leave. By the time the bank approved her application the interest rate had risen to 5.25%, making each loan payment higher.

## Local Fair Housing News

The FHCWM is assisting a client who made allegations of familial status discrimination against her previous landlord. The client alleged that, while living in her former apartment, she informed her landlord that she was pregnant and that he responded by saying that she could not live in the apartment with a child and that a child would not be a “good fit” with the other tenants in the building. The client stated that the landlord said he might allow her to stay if she gave the baby up for adoption. A witness close to the client stated that the landlord had also stated to her that the client could not continue to live in her apartment with a child. The client moved out of her apartment at the landlord’s request, but was then charged for breaking her lease. The FHCWM is assisting the client with an administrative complaint.

# Save the Date! Upcoming Fair Housing Events

## 26th Annual Fair Housing Luncheon & Workshop Series

**Thursday, April 25, 2013**

Please mark your calendars for this exciting educational event, which will be held at the Crowne Plaza Hotel in Grand Rapids. As always, we will have a variety of comprehensive morning workshops as well as a luncheon featuring keynote speaker Carlotta Walls LaNier. See Page 2 for details. Please contact the FHCWM at (616) 451-2980 or (866) 389-FAIR if you are interested in sponsoring or attending this event!

### Fair Housing Book Club

The Fair Housing Book Club is discussing The Healing by Jonathan Odell on **January 15, 2013**. The Healing is a powerful, warmhearted novel about unbreakable bonds and the power of story to heal. It is set in Antebellum Mississippi during the time of slavery. When the plantation mistress adopts Granada, a newborn slave baby, after her daughter dies of cholera, a mysterious plague begins sweeping the slave quarters. Concerned, Master Satterfield purchases a slave woman named Polly who is seen as a “healer” and Granada’s life is never the same. We meet at 11:45 am in the FHCWM office (20 Hall SE, Grand Rapids). Bring a lunch, a friend and join the discussion!

### Fair Housing Trainings

The Fair Housing Center of West Michigan 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](http://www.fhcwm.org).

The FHCWM hosts regular **tester trainings**. Testers are volunteers that play the role of a homeseeker and receive a small reimbursement in return for their time and services. In order to accommodate differing schedules, trainings will be offered both during business hours and in the evening. For the specific training dates, to register, or with any other questions, contact Gabe Chapla at (616) 451-2980.

[www.fhcwm.org](http://www.fhcwm.org)  
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