



FAIR HOUSING NEWS

Produced by the Fair Housing Center of West Michigan

Volume III — 2017

Amy Nelson Speaks to Lakeshore Breakfast Crowd

The FHCWM and Lakeshore Advisory Board hosted the 11th Annual Lakeshore Friends of Fair Housing: Opening Doors to Housing Choice Breakfast on Thursday, October 5, 2017 in Holland. The FHCWM received 144 registrations for this exciting event! The event featured a keynote speech “Everyone Deserves a Home” by Amy Nelson, Executive Director of the Fair Housing Center of Central Indiana (FHCCI). Ms. Nelson highlighted a number of disturbing fair housing trends, including use of hate language,



Amy Nelson

threats and intimidation against neighbors and home seekers. She also discussed predatory rent-to-own contracts that allow investors to avoid responsibility for property upkeep and landlord-tenant habitability requirements, while creating an income stream from a property that they could not legally rent. She shared images of the FHCCI’s response in the form of a successful “No Hate, Just Love” campaign. Executive Director Nancy Haynes closed the breakfast with comments about the importance of being a welcoming community for all not just some. This event was made possible by our sponsors: West Michigan Lakeshore Association of REALTORS, BVW Property Management, Coldwell Banker Schmidt, Midstate Title Agency, and West Michigan Community Bank.

Support was also provided by the City of Holland and HUD’s Fair Housing Initiative Program. Special thanks to our in-kind sponsors, CityFlats Hotel and Awards Pro. Your support and dedicated interest in furthering fair housing along the Lakeshore is truly appreciated.

Fair Housing Award

The 2017 Lakeshore Fair Housing Award was presented to a long-time partner and incredible fair housing advocate,

Anna Bednarek. Ms. Bednarek is the Program and Community Development Coordinator of Community Mental Health of Ottawa County. She has served as a member of the Lakeshore Housing Alliance since 2005 and has been the co-chair since 2011; she is also a member of the Greater Ottawa County United Way board of directors. She was selected for this award for her passion for community service and her advocacy for fair housing rights. The FHCWM appreciates that Anna serves as the voice for many vulnerable populations and is incredibly conscious about equity.



Anna Bednarek

She intentionally connects fair housing not only to the issues she’s working on but perhaps more importantly to the people she works with and represents.



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...Fair Housing Center Notes & News...

Best Practices for Senior Housing Providers

Over the next 20 years, the population aged 65 and over is expected to grow from 48 million to 79 million; by 2035, an astounding 1 out of 3 American households will be headed by someone aged 65 or older. Providing housing options that allow people to remain in their homes longer and foster independence as needs may change is vital to protecting older adults' right to choose the housing of their choice. Here are a few best practices to help ensure fair housing:

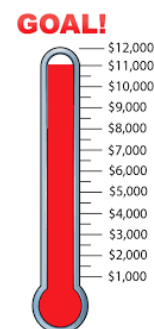


- 1. Apply the application criteria, policies and procedures evenly in accordance with the laws.** Establish a standard protocol and promote consistency and equal treatment. All senior housing staff, including nursing staff, maintenance personnel, and any others working with applicants or residents, are encouraged to attend fair housing training.
- 2. Consider requests for reasonable accommodations or modifications based upon a disability on a case-by-case basis.** Accommodations/modifications may be necessary to afford an older person the support necessary to continue residing in their home and maintain their independence. Allowing an individual to adapt their housing to meet their needs and age in place contributes to the stability and consistency that support continued independence. [Visit www.fhcwm.org/publications](http://www.fhcwm.org/publications) for how-to guidebooks and more on this interactive process.
- 3. Advertise the nature of the senior community appropriately.** Intent to operate as housing for people 55 and older should be written in advertising, applications, lease or purchase agreements, community rules, bylaws and other official documents so as to clearly identify the intent to operate as housing for older persons. *Be aware that bylaws should be reviewed for any antiquated rules (such as occupancy restrictions) in light of fair housing laws.*
- 4. Human models should be clearly definable as reasonably representing majority and minority groups in the metropolitan area.** Senior housing providers often market the sense of community among residents more heavily than non-senior communities. These advertisements are replete with pictures of residents, their family, and staff/caregivers. For that reason it is imperative that senior housing providers set an example of fair, equitable use of human models, inclusive of diversity in race, national origin, disability, religion, and other protected characteristics.
- 5. Applications for senior housing should only collect information relevant to objectively determine whether or not an individual qualifies.** Housing providers must distinguish between information necessary to evaluate an individual's eligibility for residency (i.e. income, credit, etc.) and information more appropriate to ask after an individual has been approved (i.e. emergency contact information, religious affiliation for pastoral care, etc.). Applicants should not be asked unlawful questions pertaining their level of independence, whether they are taking medications, or other medical/health related questions. ***Applicants seeking to live in independent living communities or independent living sections of Continuing Care Retirement Communities should not be required to provide any disability-related information.***
- 6. Assisted Living Facilities (ALFs) and Continuing Care Retirement Communities (CCRCs) should limit health-related inquiries, unless that information is necessary to determine applicant eligibility.** The rules prohibiting disability related inquiries and discrimination on the basis of disability generally apply to all housing covered by the FHAct, including independent living facilities, assisted living facilities and continuing care retirement communities. Because many of these facilities provide both housing and health care, the key in deciding whether a health-related inquiry is permitted lies in identifying which services offered dictate such an inquiry. Housing providers should distinguish between whether or not the individual qualifies for the housing, and then whether or not they qualify for the services for which they are applying. The admissions stage would be limited to a narrow set of inquiries designed solely to determine an applicant's eligibility for living in the facility. The second stage could involve more detailed health-related inquiries by physicians, nurses, and other health care staff designed to insure that residents receive proper care.

Membership Drive Update

Support for the FHCWM's education and outreach programming is derived in part through membership—a financial way to show your support of fair housing and our efforts to educate the community about their fair housing rights and responsibilities. Thanks to our 125 current members, we have reached **96%** of our annual goal, but need more fair housing advocates to help reach (or exceed!) \$12,000. Your membership support allows us to continue education initiatives that reach homeseekers and housing providers alike. If you are a past member and are unsure of your renewal status, please call Madelaine Clapp at the FHCWM.

We hope you consider supporting our mission to prevent and eliminate housing discrimination by *becoming a member today!* Learn more and join online at www.fhcwm.org/giving. Membership levels include: Individual (\$25), Business (\$50), Corporate (\$100), and Supporting (\$500). Thank you!



...Fair Housing Center Notes & News...

FHCWM Hosts Successful Training for Local Attorneys

The FHCWM was very pleased to partner with the Fair Housing Center of Metropolitan Detroit (FHCMD) to host Fair Housing for Michigan Attorneys on August 17, 2017. The training featured inspiring and thorough presentations from current cooperating attorneys John Obee (*of counsel*, Wood, Kull, Herschfus, Obee & Kull, P.C.), Steve Tomkowiak (Attorney, Law Office of Steve Tomkowiak), and Chui Karega (Senior Attorney, Law Offices of Chui Karega). FHCMD Executive Director Margaret Brown kicked off the session. The FHCWM is thankful for the time and interest of all of those who participated!

National Case Update

New York, NY—Fair Housing Justice Center (FHJC) and three African American testers have filed a lawsuit in federal district court alleging *The Parkoff Organization* and two *Parkoff* employees violated local, state, and federal fair housing laws. *The Parkoff Organization* is believed to own more than 75 buildings and control more than 4,500 rental units throughout New York City. The lawsuit alleges discrimination based on race, family status, and source of income. Twenty-five years prior to this allegation, the FHJC filed a class action lawsuit against *Parkoff* on behalf of African Americans and Hispanics who were denied an opportunity to rent or view available units. Although the case was resolved in 1992, the lawsuit filed this month shows discriminatory practices persisted.

In recent allegations, it is stated that African American and white testers visited *Parkoff* properties and inquired about renting apartments. Each time, African American testers were lied to about available apartments, while white testers were told about and shown available apartments, encouraged to apply, and often connected to tenants who were planning to leave the building. African American testers were also quoted higher rents, as much as \$200 more per month.

FHJC testers who visited *Parkoff* buildings received a one-page “Rider to Lease Application” which imposed a requirement that if an applicant at a *Parkoff* property is a family with a child under the age of seven, the family must have the child tested for lead paint at their expense. The prospective tenant would then be required to share the results of the medical test with *Parkoff*, who claim to reserve the right to deny tenancy to any applicant who fails to comply with this requirement.

Race and familial status continue to be among the top protected classes that are reporting alleged discrimination at national and local levels. The FHCWM encourages homeseekers and housing providers alike to report suspected or known discriminatory practices to ensure housing choice.

Client Corner

The Fair Housing Center of West Michigan was contacted by a mother who was interested in a reasonable accommodation for her child who has a disability. The Fair Housing Act requires housing providers to make reasonable accommodations, or changes to policies, rules, or practices, that persons with disabilities may need in order to have an equal opportunity to use and enjoy their home.

The family wanted to install a privacy fence in their backyard for their child, Caleb, who is autistic and sometimes a danger to himself and others. At the time, Caleb’s mother was afraid to let him out in the backyard alone because Caleb could have meltdowns, run out into the street, and also wanted to run and jump in the lake in the back of the property. The client had been trying to make a reasonable accommodation request to their homeowner’s association and developer of the property for a fence that would be appropriate for Caleb’s needs. The fence they needed would be higher than the allowable height of 3 feet so that Caleb, an 8 year old boy, could not easily climb over the fence.

The homeowner’s association told Caleb’s mom that they would not make an exception to their fence rules even though it was for a disability-related need; therefore, she contacted the FHCWM. The Center met with representatives for the developer and advocated on Caleb’s behalf alongside his mother. Shortly thereafter, the reasonable accommodation request was granted for the family to be able to put up a 6 foot privacy fence in order for Caleb to play



Caleb safe within the privacy fence at his home.

safely in his backyard. After the case was resolved, Caleb’s mom stated, “If it weren’t for your help we would not be able to get this fence for Caleb. He has been able to enjoy the yard more since the fence has been up.”

Please contact the FHCWM if you would like to learn more or need assistance with any similar requests.

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Please visit our web site: www.fhcwm.org

...Fair Housing Center News & Events...



Save The Date!

The FHCWM invites you to mark your calendars for Thursday, **April 19, 2018** for our 31st Annual Fair Housing Luncheon & Workshop Series! This event will be a very special one as we mark *50 years since the passage of the Fair Housing Act*. We are thrilled to announce that nationally renowned fair housing attorney **John Relman** will be the keynote speaker. The event will be held at the Amway Grand Plaza Hotel. If you are interested sponsoring this special landmark event, please contact Madelaine Clapp at mclapp@fhcwm.org.

Fair Housing Book Club

The Fair Housing Center's Book Clubs is reading another great book: [Born a Crime: Stories from a South African Childhood](#) by Trevor Noah. Read along with us: www.fhcwm.org/booksweveread or send an email request to contact-us@fhcwm.org to be added to our Book Club email alerts! We meet at **11:45 am** in our office (20 Hall Street SE, Grand Rapids) or the Coldwell Banker office (466 E. 16th St. Holland). Bring a lunch, a friend and join the discussion!

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 Fair Housing Center; 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 Fair Housing Center hosts **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 Gabe Chapla at (616) 451-2980.

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