



FAIR HOUSING NEWS

Produced by the Fair Housing Center of West Michigan

Expanding the Fair Housing Playbook

FHCWM's 29th Annual Event!

The FHCWM was very pleased to have **Herman Boone**, retired football coach and motivational speaker, as this year's keynote speaker for the *29th Annual Fair Housing Luncheon & Workshop Series* held on **Thursday, May 19, 2016**. Coach Boone spoke on housing discrimination as well as diversity as it relates to community engagement, teamwork, and pushing through adversity to accomplish the mission.



Coach Boone addresses the luncheon crowd

In 1971, Coach Boone faced the great challenge of bringing together two teams divided by race. He tackled the issue by creating community and trust within one united team. As he shared his experiences, he called on those attending the luncheon to engage their communities in enforcing laws that prohibit unlawful housing discrimination. Coach Boone shared that when he moved to Alexandria, VA he had been subjected to

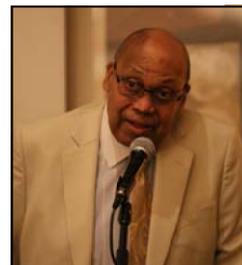
housing discrimination. He called on a home that was advertised "For Sale", and the real estate agent told him that the house was not available; later that day he asked a White colleague to call on the same home, who was told that the home was still for sale. Coach Boone suspected that he was being unlawfully denied housing and contacted the NAACP. The NAACP conducted a testing investigation and utilized the evidence to challenge the real estate agent's statements to Coach Boone. Ultimately he and his wife were able to buy that home of their choice—where they raised their family and continue to live 45 years later. Almost 400 people attended this year's event to gain more knowledge on how to address fair housing concerns. Thank you, Coach Boone!

Fair Housing Awards

Also on May 19, the FHCWM presented Fair Housing Awards to two individuals for their significant work in furthering fair housing. The 2016 Awards went to long-time FHCWM board member and supporter, **Hon. Benjamin Logan**, and the Michigan Department of Civil Rights' Manager for the Housing Unit, **Marlene Cain**.

Judge Logan served on the 21st District Court for over 25 years, unfaltering in his commitment to justice. Prior to election to the bench in 1988, Judge Logan practiced law for

over 16 years, focusing on civil rights. He has served on the FHCWM Board since 1992 as a steadfast supporter and advocate. Generosity of his time, talents, and resources has helped make the FHCWM what it is today.



Hon. Benjamin Logan

Ms. Cain has worked for the State of Michigan for over 27 years. She joined the Civil Rights Department in 1997. She now manages housing discrimination cases across the State and continues to educate the housing industry on their obligations. With systemic thinking, professionalism, and dedication to meaningful outcomes, she has had an immense impact on fair housing.



Marlene Cain

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2016 Membership Drive Kickoff

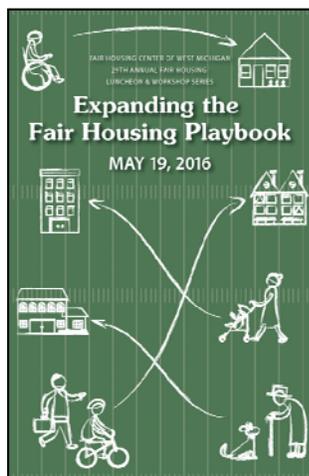
The FHCWM is very pleased to announce the kick off of the 2016 Membership Drive. The annual membership drive provides the FHCWM with unrestricted funding which is critical to enabling the FHCWM to meet its goals and achieve its mission. Membership dollars make it possible to take complaints, respond to requests for education and training, and conduct vital investigations without being limited by geographical or contractual constraints. The annual goal is to raise \$11,000. Fair Housing advocate, Supporting Member, and long-time donor to the FHCWM, **Elaine Isley** (West Michigan Environmental Action Council) is this year's Membership Drive Chair. She stated, "As a member, you will know that you are continuing to make a difference by being a part of an effort to open up housing opportunity for all." Learn more at www.fhcwm.org/giving.



29th Annual Workshop Series

The FHCWM offered 4 concurrent morning workshops this year, attended by a record-setting 235 supporters, advocates and housing professionals.

The **Fair Housing Playbook For Housing Professionals** workshop provided fair housing training for rental housing professionals at all levels. It emphasized ways to promote compliance with fair housing laws, including an



overview of laws and case examples. The panel included Marlene Cain, Tyra Khan and Jenni Scheid of the Michigan Department of Civil Rights.

Tackling The Barriers To Successfully Aging In Place focused on empowering people to ensure the fair housing rights of seniors and persons with disabilities as they age. Attendees were challenged to better understand barriers and gaps in services as well as highlight legal rights and options, resources, opportunities, and best practices to enable successful aging in place. The panel included Laura Arandes (Associate Attorney, Relman, Dane & Colfax), Rachel Taplin (Senior Neighbors) and the FHCWM's Elizabeth Stoddard. The workshop was made possible by the Kent County Senior Millage.



The **Understanding The Goal: How Fair Housing Expands Opportunity** workshop targeted how where a person lives determines their access to education, employment, health care, transportation, and more. The workshop included statistics and a discussion of new HUD guidance on affirmatively furthering fair housing to demonstrate the connection between fair housing and opportunity. Panelists included Debby Goldberg (Vice President of Housing Policy & Special Projects, National Fair Housing Alliance), Dr. Joe T. Darden (Professor of Geography, Michigan State University), and Jodi Petersen (Director, Community Research Institute).

The **CQ Advantage! Cultural Intelligence For Real Estate Professionals & Fair Housing Update** workshop placed emphasis on cultural intelligence (CQ)

and how to appropriately interact with culture, beliefs, and biases in the home sale process. The fair housing update highlighted recent cases of interest to the real estate and lending communities as well as how CQ can mitigate risk and increase awareness of fair housing issues. The panel included Lola Audu (Audu Real Estate and LA Speaking) and Doretha Ardoin (FHCWM Board President, SR, Advisor, Greenridge Realty, Inc.).



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HUD Guidance on Use of Criminal Records

On April 4, 2016 the U.S. Department of Housing and Urban Development (HUD) published a document entitled, “Office of General Counsel Guidance on Application of Fair Housing Act Standards to the Use of Criminal Records by Providers of Housing and Real Estate-Related Transactions”. This new guidance addresses how the Fair Housing Act applies to the use of criminal history by housing providers. While criminal history is not a protected characteristic under the Fair Housing Act, criminal history-based restrictions on housing opportunities violate the Act if, without justification, their burden falls more often on renters or other housing market participants of one race or national origin over another. **A housing provider violates the Fair Housing Act when their policy or practice has an unjustified discriminatory effect, even when the provider had no intent to discriminate.**

The guidance provides a 3-step process to evaluate whether a housing provider’s use of criminal history to deny housing opportunities results in a discriminatory effect in violation of the Act. Here is a brief summary:

1. Evaluating Whether the Criminal History Policy or Practice Has a Discriminatory Effect—In the first step of the discriminatory effects analysis, the plaintiff (or HUD in an administrative action) must prove that the criminal history policy has a discriminatory effect, in other words, that the policy results in a disparate impact on a group of persons because of their race or national origin. State or local statistical evidence should be used where, available and appropriate, but national statistics provide grounds for HUD to investigate complaints challenging criminal history policies. Across all age groups, the imprisonment rates for African American males is almost 6 times greater than for White males, and for Hispanic males, it is over twice that for non-Hispanic males.

2. Evaluating Whether the Challenged Policy or Practice is Necessary to Achieve a Substantial, Legitimate, Nondiscriminatory Interest—The second step of the analysis shifts to the housing provider to prove that the challenged policy or practice is justified. The housing provider must provide evidence proving both that there is a substantial, legitimate, nondiscriminatory interest

supporting the policy, and that the challenged policy actually achieves that interest. **The following types of policies and practices will not meet the standard of a justified policy:** (1) exclusions because of one or more prior arrests (without conviction) and (2) blanket prohibitions on any person with any conviction record—no matter when the conviction occurred, what the underlying conduct entailed, or what the convicted person has done since then.



3. Evaluating Whether There Is a Less Discriminatory Alternative—The final step of the analysis is applicable only if the housing provider successfully proves that its criminal history policy or practice is necessary to achieve its substantial, legitimate, nondiscriminatory interest. The burden shifts back to the plaintiff or HUD to prove that such interest could be served by another means that has a less discriminatory effect. The alternative may include relevant individualized assessment of relevant mitigating information rather than categorical exclusions.

For more information, download a copy of the new HUD guide at www.fhcwm.org/publications

Client Corner

The FHCWM partnered with Legal Aid of Western Michigan to help a woman keep her assistance dog, Cookie, in her home. While her specific connection with Cookie provided support, comfort and companionship that was necessary for her well-being, independence, and quality of life, the woman’s disability limited her ability to provide obedience training to Cookie, a rescue dog with a history of abuse. The woman was on the verge of eviction from her subsidized apartment over minor behavioral concerns with Cookie.



Cookie

After Legal Aid successfully stayed the eviction, the FHCWM helped the woman negotiate a **reasonable accommodation** to allow Cookie to remain in the home. The housing provider agreed that Cookie could stay as long as she underwent obedience training and that the woman’s caretaker assisted in Cookie’s care and training.

A thank you note from the family stated, “I hope you know how deeply your thoughtfulness has touched me.”

The work that provided the basis for this publication was supported by funding under a grant with the U.S. Department of Housing and Urban Development. The substance and findings of the work are dedicated to the public. The author and publisher are solely responsible for the accuracy of the statements and interpretations contained in this publication. Such interpretations do not necessarily reflect the views of the Federal Government.

Please visit our web site: www.fhcwm.org

...FHCWM News & Events...

FHCWM Receives 2 Local Grants!

The FHCWM is very pleased to report that requests to the Dyer-Ives Foundation and the Nonprofit Technical Assistance Fund for Kent County were approved to conduct program and funding sustainability planning and organizational evaluation projects respectively in 2016.

Congratulations!

The FHCWM is excited to introduce our newest member! Grayson Clapp was born on April 14, 2016 to proud parents Madelaine and Stuart Clapp. Madelaine is our Education & Outreach Coordinator. Welcome Grayson!



Fair Housing Book Club

The FHCWM Book Clubs have been reading some great books: The Things They Carried by Tim O'Brien and South of Broad by Pay Conroy.

Our next selection will be The Turner House by Angela Flourney .

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 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 **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.

www.fhcwm.org
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