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Our Mission

To promote equal housing opportunities for all persons in America by administering laws that prohibit discrimination in housing on the basis of race, color, religion, sex, national origin, disability, and familial status.

HUD Awards More than \$18 Million in Grants to Fight Housing Discrimination

In October 2007, HUD awarded 88 grants, totaling \$18.1 million, to recipients in 36 states and the District of Columbia to help fight housing discrimination.

The grants were provided through HUD's Fair Housing Initiatives Program and will be used to investigate allegations of housing discrimination and educate the housing industry and the public about fair housing.

HUD awarded a total of \$14 million to private, tax-exempt organizations to support the investigation of alleged violations of the Fair Housing Act and substantially equivalent state and local fair housing laws.

In addition, HUD awarded a total of \$4.1 million to groups that conduct fair housing education and outreach activities. This



included a \$1 million grant to New American Media, a division of Pacific News Service, to develop a coordinated national media campaign on lending discrimination. New American Media has engaged the creative team of Impact Strategies, LLC, and Equals Three Communications to produce television, radio, and print advertisements.

For a list of grant recipients, go to <http://www.hud.gov/fairhousing>.

HUD Charges Tuckahoe Housing Authority with Unlawfully Denying a Disabled Woman a Public Housing Unit

On September 28, 2007, HUD charged the Tuckahoe Housing Authority (THA), located in Tuckahoe, New York, with violating the Fair Housing Act for denying a woman with a disability a public housing unit because she is unable to work.

Judy Guerriero, who suffers from mobility impairment and cannot work, was denied an available unit on three occasions between 2003 and 2006. In June 2003, she received a letter from THA that allegedly stated, "Our preference for housing is 'living and/or working in Tuckahoe,' and we need to choose these applicants first." Although THA generally placed Guerriero on higher priority waiting lists, THA treated her differently by assigning available apartments to non-disabled working applicants.

Under the Fair Housing Act, it is unlawful to refuse to rent a dwelling to an individual because they have a disability or discriminate in the terms, conditions, or privileges of the rental of a dwelling because they have a disability. Federal regulations permit a housing authority to establish a "working family" preference for admission, so long as applicants who are disabled and unable to work are also given the benefit of the working family preference.

A hearing on the charge of discrimination will be held before a U.S. Administrative Law Judge on January 8, 2008, in Tuckahoe, New York, unless one of the parties elects to have the case heard in U.S. District Court.

Year in Review-HUD's Office of Fair Housing and Equal Opportunity

In FY 2007, HUD and state and local government agencies in HUD's Fair Housing Assistance Program (FHAP) received a combined total of 10,154 housing discrimination complaints. This was a slight decrease from the all-time high of 10,328 complaints filed in FY 2006.

Disability and race continue to be the most common bases of alleged discrimination, cited in 43 percent and 37 percent of complaints, respectively. This is true despite a 7 percent increase in disability complaints and a 7 percent decrease in race complaints compared to FY 2006. Housing discrimination complaints most often alleged discrimination in the terms and conditions in the sale or rental of property or refusal to rent, cited in 58 percent and 26 percent of complaints, respectively.

In addition to investigating complaints it receives from the public, HUD has the authority to initiate an investigation and to file a complaint when there is reason to believe that a discriminatory housing

practice has occurred or is about to occur. In FY 2007, HUD launched 15 Secretary-initiated investigations, more than in the past ten years combined.

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To help investigate complaints, HUD further expanded its network of FHAP agencies. In FY 2007, HUD added two FHAP agencies, the Westchester County (New York) Human Rights Commission and the Erie County (Pennsylvania) Human Relations Commission, bringing the total to 108 agencies in 38 states and the District of Columbia.

In addition to enforcing the Fair Housing Act, HUD funds fair housing education and outreach activities through the Fair Housing Initiatives Program (FHIP). FHIP provides grants to public, private, and nonprofit

groups to conduct fair housing enforcement, education, and outreach activities.

During FY 2007, FHIP recipients held 1,486 public events that provided approximately 247,201 people with fair housing information. These activities were mostly conducted under grants awarded in FY 2006. In FY 2007, HUD awarded 88 FHIP grants totaling \$18.1 million to groups in 37 states and the District of Columbia to conduct fair housing enforcement, education, and outreach activities. These activities will be conducted in FY 2008.

Since 2003, FHIP has funded Fair Housing Accessibility FIRST, a program that instructs architects and others on the Fair Housing Act accessibility requirements. During FY 2007, FIRST trained 1,351 individuals in 22 training sessions in 17 states.

October is National Disability Employment Awareness Month

HUD Publishes Proposed Rule on Assistance Animals for the Elderly and Persons with Disabilities

On October 15, 2007, HUD published a proposed rule on assistance animals in the Federal Register. HUD published the proposed rule to improve the consistency between its pet ownership regulations that cover public housing and assisted housing programs.

The proposed rule would revise HUD regulations that apply to HUD-assisted housing, such as housing programs that serve the elderly and disabled, to make their assistance animal exceptions similar to the requirements and procedures for other HUD public housing programs.

First, the proposed rule would broaden the definition of assistance animals in HUD-assisted housing to include animals that "assist, support, or provide service to persons with disabilities." The current regulation is limited to animals that "assist persons with disabilities." This broadened definition would, if adopted, be reflected in the prohibition against project owners and public housing authorities applying or enforcing pet ownership policies against assistance animals.

Finally, the proposed rule would remove the requirement for tenants of HUD-assisted housing to certify that the tenant or a family member is



a person with a disability and that the assistance animal has been trained to assist persons with that specific disability.

The deadline for public comments is December 14, 2007.

HUD Charges Illinois Property Owner with Discriminatory Advertising

On September 25, 2007, HUD charged John W. Yatczyshyn with violating the Fair Housing Act for posting two advertisements on craigslist.org for an apartment for rent that expressed a preference for adults and a limitation against children. The Fair Housing Act prohibits discrimination based on familial status with very few exceptions. Additionally, the Fair Housing Act prohibits advertising housing in a discriminatory manner even when that property is exempt from the requirements of the Act.

Specifically, the charge alleges that Yatczyshyn posted two advertisements on craigslist.org for an apartment in a “clean adult building.”

The Chicago Lawyers’ Committee for Civil Rights Under Law (CLC), a not-

for-profit organization that promotes open housing in the Chicago area, saw the advertisements and conducted research to find out the identity of the individual who posted

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them. When CLC learned the identity of the property owner, it filed a complaint with HUD.

In his answer to the complaint, Yatczyshyn admitted posting the advertisements and acknowledged

that the posting was unlawful, despite the fact that the property is otherwise exempt from the Fair Housing Act because it is owner-occupied.

Furthermore, HUD found that Yatczyshyn owns another property containing four rental units, which is not exempt under the Fair Housing Act. As a result, HUD concluded that Yatczyshyn knew or should have known that it is illegal to post rental advertisements that express a preference or limitation on the basis of familial status.

A hearing on the charge will be held before a U.S. Administrative Law Judge on January 24, 2008, in Chicago, Illinois, unless one of the parties elects to have the case heard in U.S. District Court.

HUD Charges Chicago Property Owner and Property Manager with Racial Discrimination

On August 22, 2007, HUD charged a Chicago property owner and property manager with violating the Fair Housing Act for refusing to rent to an African-American woman because of her race and retaliating against a former tenant who tried to lease her unit to the African-American woman.

Specifically, the charge alleges that Jennifer Ho tried to prevent her roommate, Diana Lin, from subleasing her bedroom to Meki Bracken, an African-American woman. After Lin showed the room to Bracken, Ho allegedly told Lin that she did not want to rent to blacks. Ho and Lin are both Asian-American.

When Lin contacted the owner, Chak Man Fung, he told her to keep looking for another tenant and informed her that he was placing new advertisements. Ho, who regularly acted as an agent for Fung, later showed the room to another

prospective renter without informing Lin.

After her conversation with Fung, Lin contacted the Chicago Commission on Human Relations and learned that it was unlawful to reject Bracken because of her race.

Ho said she did not want to rent to blacks and blocked the door when an African-American woman tried to move in.

Because the condominium was leased to three individual renters under three separate leases, Lin was able to enter into a sublease agreement with Bracken without approval from Ho. Lin and Bracken entered into a sublease agreement and Lin provided Bracken with the keys to the unit.

However, when Bracken attempted to move in, Ho blocked the door so Bracken was unable to gain entry. As a result, Bracken was forced to stay at a hotel while looking for alternate housing. Ultimately, she was unable to secure suitable housing since she was only going to be in Chicago for the summer and ended up staying with Lin at her new one-bedroom condominium.

Since she was unable to sublet her unit to Bracken, Lin was forced to pay the rent for the subject property while the unit was vacant for over one month. In addition, Fung never returned Lin’s security deposit.

A hearing on the charge of discrimination will be held before a U.S. Administrative Law Judge on November 27, 2007, in Chicago, Illinois, unless one of the parties elects to have the case heard in U.S. District Court.

HUD's Office of Fair Housing and Equal Opportunity

451 7th Street, SW
Washington, DC 20410

Individuals may report housing discrimination to HUD by calling

1-800-669-9777 (Voice)
1-800-927-9275 (TTY)

or by completing a form at

www.hud.gov/fairhousing



HUD Certifies Erie County Human Relations Commission to Investigate Housing Discrimination Complaints

In September 2007, HUD admitted the Erie County (Pennsylvania) Human Relations Commission to the Fair Housing Assistance Program (FHAP). As a FHAP agency, the Commission will receive HUD reimbursement for investigating housing discrimination complaints filed within its jurisdiction. In addition, the Commission will be eligible to receive HUD funding for capacity building.

In order to participate in FHAP, a jurisdiction must enact a fair housing law that provides rights, remedies, procedures, and opportunities for judicial review that are substantially equivalent to those provided by the federal Fair Housing Act.

Erie County is the fifth jurisdiction in Pennsylvania to be certified by HUD as enforcing a law that is substantially



equivalent to the federal Fair Housing Act. Additionally, the state of Pennsylvania is certified as a FHAP agency.

Erie County residents may file a complaint with the Commission if they believe they have experienced housing discrimination.

For more information on how a state or locality can participate in FHAP or for a list of FHAP agencies, go to <http://www.hud.gov/fairhousing>.

Owner of California Apartment Complex Agrees to Make Modifications to Improve Accessibility for Persons with Disabilities

On October 5, 2007, HUD finalized a conciliation agreement valued at about \$25,000 for a physically disabled tenant of an apartment complex in Eureka, California.

The tenant, Sharon Swafford, filed a complaint with HUD alleging that the owner and the manager of the Summercreek Place apartment complex violated the Fair Housing Act by failing to provide her with a wheelchair ramp as a reasonable accommodation for her disability. Swafford also alleged that the architect, contractor, and developer violated the Fair Housing Act by failing to design and construct the property in accordance with the accessibility requirements of the Fair Housing Act.

Under the terms of the conciliation

agreement, the respondents deny any wrongdoing, but agree to pay Swafford \$3,500 in monetary relief and send representatives from the management company and the developer to fair housing training.

Additionally, the respondents agree to make retrofits to the interiors of the dwelling units and the public and common use areas within 180 days of the effective date of the conciliation agreement. The retrofits will include the installation of ramps for four ground floor dwelling units; the installation of a ramp to the laundry room and a front-load washer; and the installation of lever-operated or push-type faucet mechanisms in the kitchens and bathrooms of four units. The total estimated cost for the retrofits is over \$21,000.



From October 26, 2007, through November 2, 2007, HUD sponsored fair housing advertisements in over 40 movie theaters on nearly 600 screens throughout the country. The advertisements featured Franklin the Fair Housing Fox who informed viewers that it is unlawful to discriminate in the sale, rental, or financing of housing. In addition, the advertisement advised viewers to call HUD's housing discrimination hotline, 1-800-669-9777, if they believe they have experienced or witnessed unlawful discrimination.