

Our Mission

To promote equal housing opportunity 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.



Fair Housing News



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HUD Charges Alabama Landlord and Manager with Housing Discrimination

On December 17, 2009, HUD charged a Marshall, AL, trailer home owner and rental manager with discriminating against a white family by disconnecting their water service and forcing them to leave because the manager objected to a family member's African-American boyfriend.

According to HUD's charge, Phillip Maze, rental agent for his mother Opal Maze, after seeing the African-American boyfriend, told the family they had to move out, and that he did not believe in interracial dating. He then turned off the water to the trailer. When asked what it would take to turn the water back on, Mr. Maze allegedly told the family to get rid of the African-American boyfriend.

Phillip Maze also allegedly told a HUD investigator, "I do not have any blacks on my property and I am aware that we

have a biracial president, but no federal law will make me rent to anyone I do not want to."

The Fair Housing Act makes it unlawful to discriminate based on race or color, including making discriminatory statements, intimidating and coercing tenants, and denying them services because of the race or color of tenants' friends.

In commenting on the charge, FHEO Assistant Secretary John Trasvin said that Phillip Maze's actions were an outrage. "A landlord may not force out a family because of an objection to the race of their friends or visitors," he said. "This case demonstrates that overt acts of discrimination are not a thing of the past and HUD will not hesitate to act forcefully to protect fair housing rights."

The case is currently being litigated by HUD attorneys in the Department's Southeast region.



HUD Steps Up Enforcement of Job Creation Requirements for State and Local Governments

More than 3,100 state and local government agencies have responded to HUD's campaign to expand hiring and contracting opportunities for low-income persons. Requiring recipients of HUD funding to report is the initial step in an aggressive two-year Section 3 effort to increase hiring and training opportunities.

The campaign began in October 2009, when HUD contacted more than 3,500 agencies to remind them of their legal obligations to report their hiring and

contracting efforts. Under Section 3 of the Housing and Urban Development Act of 1968, state and local governments that receive HUD funding are required to report how they use the funding to hire low- and very low-income individuals and public housing residents. Agencies are also required, "to the greatest extent feasible," to contract with companies that hire the residents. As a direct result of HUD's outreach effort, three out of four HUD-funded state and local agencies submitted the required annual reports, the largest response since HUD made Section 3 reporting mandatory in June 1994.

"Part of HUD's mission is to invest in people as well as buildings," said John Trasvina, HUD's Assistant Secretary for Fair Housing and Equal Opportunity. "This initiative is a huge step toward creating job opportunities for low- and very low-income individuals and increasing our state and local partners' compliance with Section 3 reporting requirements."

As part of the campaign, HUD will work with labor, business, vocational, educational, and community organizations and agencies to help workers become trained to take advantage of job opportunities. In 2008, HUD funding generated more than 17,000 new employment and training opportunities for Section 3 residents and facilitated the award of more than \$340 million in HUD-funded construction contracts to Section 3 businesses. The funding also enabled about 3,600 Section 3 businesses to receive contracts to complete work on HUD-funded projects.

In addition, HUD has responded to hundreds of requests from state and local governments for technical assistance, conducted trainings, and published new guidance materials on its Web site: www.hud.gov/section3. Future activities will include awarding eight competitive grants ranging from \$50,000 to \$100,000 to local governments to hire Section 3 coordinators.



FHEO Launches National Fair Housing Collegiate Partnership Campaign

On January 18, 2010, HUD launched a first-of-its-kind national fair housing collegiate partnership campaign to help educate college and university students about their fair housing rights and encourage them to consider public service as a career option. As part of the campaign, FHEO, with the assistance of its fair housing partners, will conduct a series of seminars that highlight the Fair Housing Act, involve colleges and universities in Fair Housing Month events, and provide fair housing information to schools of public administration and policy. Fair housing materials will be included in freshmen orientation packets.



MLK Day March participants.

The campaign will also encourage students to consider careers in public service by providing college and university career centers with federal vacancy announcements and by posting information about the outreach campaign on Facebook and other social networking Web sites. The launch of the campaign occurred on the campus of Tennessee State University (TSU), in Nashville, one of the nation's premier historically black colleges and universities and a center of student activism during the Civil Rights Movement. Throughout the 1960s, students from the university participated in dozens of sit-ins and protests to desegregate Kress's, Woolworth's, and McClellan's department stores.

Before announcing the campaign, FHEO Assistant Secretary John Trasvina took part in a 5,000-person-strong march commemorating the birth of Dr. Martin Luther King Jr. that began in Nashville's historic Jefferson Street district and ended on TSU's campus.

(continued on page 4)



Dr. Melvin Johnson (left), President of Tennessee State University, signs a proclamation launching the campaign, with Trasvina.

FHEO Assistant Secretary Trasvina Testifies Before House Committee

On January 20, 2010, FHEO Assistant Secretary John Trasvina testified before the U.S. House of Representatives' Committee on Financial Services, Subcommittee on Housing and Community Opportunity during a hearing to discuss The Housing Fairness Act of 2009 (H.R. 476). During his testimony, Assistant Secretary Trasvina discussed HUD's national and regional efforts to further fair housing, including addressing lending discrimination, enforcing the Fair Housing Act, and working with its fair housing partners. He also talked about how H.R. 476, if enacted, would support the Department's initiatives by enabling more fair housing testing, swifter action against

individuals who violate the law, and studies of the causes and effects of discrimination.

In particular, he discussed how the settlement of a case that alleged Westchester County, NY, made false claims to the federal government when certifying its efforts to further fair housing is helping to create more affordable housing units in areas of the county with small percentages of African-American and Latino residents, and how the Department is working to revise current regulations regarding the obligation of federal fund recipients to affirmatively further fair housing. Assistant Secretary Trasvina also talked about how

matched pair testing is an indispensable part of fair housing enforcement actions and often is the deciding factor in housing discrimination cases. In addition, he discussed the Department's increased efforts to educate the public about their fair housing rights and what to do if they believe their rights have been violated.

To read Assistant Secretary Trasvina's full Congressional testimony, go to www.hud.gov/offices/fheo/library.



Justice Department Resolves Iowa Disability Discrimination Lawsuit

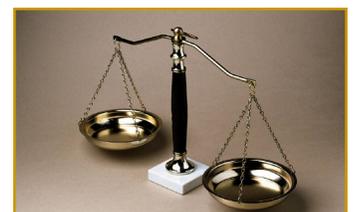
On January 27, 2010, the Department of Justice settled a lawsuit stemming from a case in which HUD charged the designers and builders of two multifamily housing complexes in Davenport, IA, with violating the Fair Housing Act because the complexes are inaccessible to persons with disabilities.

The Fair Housing Act requires that every unit in multifamily buildings built after March 1991 is accessible, if the building has an elevator. Buildings without elevators are required to have ground floor units that are accessible.

Under the settlement, the designers and builders of the property, Design Center Associates, Inc., Portzen Construction, Inc., and GNZ and Sodarock properties will pay all costs related to making the complexes accessible to persons with disabilities and up to \$40,000 to compensate individuals harmed by the inaccessible housing.

The settlement also requires the defendants to undergo training on the requirements of the Fair Housing Act and provide periodic reports to the government describing their efforts to comply with the Fair Housing Act.

"Ensuring that homes are designed and built to provide access for people with disabilities is the law," said FHEO Assistant Secretary John Trasvina. "This settlement demonstrates what can be done when government and private actors work together to enforce the law and produce results."



Quarterly Newsletter



Justice Department Obtains \$415,000 Settlement Resolving Claims by African Americans, Families with Children

On March 1, 2010, the Department of Justice announced a \$415,000 settlement that will resolve a lawsuit alleging that the landlord and manager of Fountain View Apartments in Orange City, FL, discriminated against African Americans and families with children, in violation of the Fair Housing Act.

The case began when an African-American woman visited Fountain View with her grandson and a friend and were denied the opportunity to apply for an apartment. The application contained the notation "ADULTS ONLY" in the space designated for the number of children. Later that same day, the woman's friend, who is white,

called the complex to ask about available units and was told by the manager that apartments were available. A local television station subsequently conducted a series of fair housing tests and found that the defendants were providing more information and better treatment to white persons than to African-American apartment seekers.

"This case underscores the importance of fair housing testing in uncovering differences in the way people of different races are treated when they visit some apartment complexes," said FHEO Assistant Secretary John Trasviña. "HUD will continue to use fair housing testing to bring to light the discriminatory practices that still deny too many Americans equal housing opportunities." After HUD is-

sued a charge of discrimination on the woman's complaint, one of the parties elected to have the matter heard in federal court. The Justice Department filed the suit in the matter in June 2008.

Under the agreement, the defendants must pay \$175,000 to nine individuals identified as victims of the discriminatory conduct, \$140,000 to three plaintiff-interveners, and \$100,000 to the United States as a civil penalty. In addition, the agreement prohibits the defendants from engaging in discrimination and requires Fountain View Apartments Inc. to retain an independent manager to manage the property.

Justice Department Obtains \$2.1 Million Housing Discrimination Settlement

On February 19, 2010, the Department of Justice announced that it reached a \$2.1 million settlement of a case alleging that Kansas City, KS, apartment managers discriminated in the rental of apartments based on race. The lawsuit also alleged that the defendants retaliated against an employee of the management company by firing her for cooperating with HUD investigators.

After charging the case, HUD referred it to the Justice Department, which filed its complaint in September 2008. The complaint alleged that between 2003 and 2005, manager Stacey Sturdevant, Central Park Towers Apartments (CPT), NHP Management Company, the Apartment Investment and Management Company (AIMCO), and the former owners of CPT engaged in a pattern or practice of discriminating on the basis of race.

In discussing the case, which represents the second largest monetary payment ever obtained by the Department of Justice in a fair housing case, FHEO Assistant Secretary John Trasviña said, "Individuals who step forward to assist victims of housing discrimination should know that HUD and the Justice Department will protect them from retaliation. This settlement vindicates that interest."

The Justice Department settled its claim against the former owners of CPT and Central Park Towers II L.P. last summer for \$145,000. The settlement requires the other defendants (except Sturdevant) to pay \$95,500 in civil penalties to the United States, and \$1.89 million into a fund that will be used to compensate persons who were harmed by the defendants' discriminatory practices. The terms of the distribution of the monetary damages will be determined in a separate disbursement order to be submitted to the court. The case remains pending against Sturdevant.

HUD, Lake County Housing Authority Reach Agreement

On January 12, 2010, HUD reached an agreement with the Lake County Housing Authority (LCHA) in Grayslake, IL, that will allow two elderly sisters to continue living together.

The case was initially brought to HUD's attention when one sister residing at the housing authority filed a complaint in November 2008 alleging that LCHA failed to allow her sister, who is her live-in caregiver, to continue residing in her apartment. The LCHA resident is developmentally disabled and relies on her sister to help

her perform daily activities, but LCHA's rental policy did not allow family members to serve as live-in caregivers.

Under the agreement, the housing authority will allow the disabled resident's sister to live in the unit as her caregiver and will adjust her monthly rent based on this new policy. The agreement also requires LCHA to pay \$20,000 to John Marshall Law School's Fair Housing Clinic, which filed the complaint on behalf of the sisters, to pay \$20,000 to each woman,

and to forgive up to \$10,000 in disputed past due rent.

"We are absolutely delighted these sisters can remain together as a family," said John Trasviña, HUD Assistant Secretary for Fair Housing and Equal Opportunity.

"Today, more and more people face the challenges of caring for their loved ones. The Fair Housing Act means that landlords should make reasonable accommodations – in this case, by allowing the caregiving sister to stay in the home."



HUD Awards \$26 Million in Grants to Fight Housing Discrimination

On January 21, 2010, HUD announced the award of \$26.3 million to 98 fair housing organizations and other non-profit agencies in 37 states and the District of Columbia to fight housing discrimination and assist people who believe that their fair housing rights have been violated. The grants were funded through HUD's Fair Housing Initiatives Program (FHIP) and will be used to investigate allegations of housing discrimination, educate the public and the housing industry about their rights and responsibilities under the Fair Housing Act, and work to promote equal housing opportunities.

In discussing the grants, FHEO Assistant Secretary John Trasvina talked about the important role the grants will play in the fight for fair housing across America. "The organizations we will fund," he said, "are respected and trusted groups. They will help HUD enforce the law and educate the public about their rights and responsibilities under the law."

Of the \$26.3 million, \$21.1 million funds Private Enforcement Initiative grants to groups that will investigate alleged housing discrimination and enforce the Fair Housing Act and state and local laws that are substantially equivalent to the Act. \$3.1 million in Education and Outreach Initiative grants will be used to help educate the public and housing providers about their rights and obligations under federal, state, and local fair housing laws. And \$2.1 million in Fair Housing Organizations Initiative grants went to establish new organizations and increase the capacity of existing organizations. The awards also include \$2 million to eight groups to conduct enforcement and education and outreach activities specifically addressing lending discrimination.

For a complete listing of the grant recipients and descriptions of the activities that will be conducted under each, go to www.hud.gov.

HUD Charges Las Vegas Real Estate Broker, Owners with Violating the Fair Housing Act

On December 10, 2009, HUD charged a Las Vegas real estate broker and two homeowners with violating the Fair Housing Act by denying a mother of seven the opportunity to rent a four-bedroom home because they thought she had too many children.

When the mother, who has four children and was in the process of adopting three more, submitted her application to rent the home, the real estate agent handling the property told her "I

don't think that the owners will rent to that many children." The agent went on to tell the mother that the owner would allow a maximum of five children, even though the house could easily accommodate eight residents.

After denying the mother's application, the owners rented the house to a couple who only had one child.

"Policies that unreasonably limit the number of people who can live in a

home discriminate against families with children and violate the Fair Housing Act," said John Trasvina, HUD's Assistant Secretary for Fair Housing and Equal Opportunity. "HUD will take action in such cases, especially when those policies are used to keep larger families from obtaining housing."

After an election, the case will be heard in federal district court.

HUD Charges Massachusetts Condo Board and Management Company with Discriminating Against Families with Children

On December 1, 2009, HUD charged Property Management of Andover, Inc., in Andover, MA, and Stonecleave Village Condominium Association and its president, with discriminating against families with children by charging fees to parents whose children played in the property's common area.

In addition, HUD accused the respondents of retaliating against families by charging them for the Association's attorney fees incurred in fighting their discrimination complaint. Alleging that it received complaints about loud

behavior and playing of organized sports in the property's common area, the condo association designated a field in the rear of the complex for the children to play. The families were then informed that they were being fined \$10 a day for the days that their children played in the common area instead of the designated field, \$10 a day for allegedly causing damage to the common area, \$25 to cover the cost of the alleged damage, and \$437.50 for attorney fees. Prior to this, the families had not received any fines or warnings, and when an adult resident had a party in the common area, no fine was

issued.

FHEO Assistant Secretary John Trasvina said that the charge points to a "disturbing practice where families were literally expected to pay to play. It's clearly illegal to impose different rules and restrictions on families with children and then to retaliate against them should they complain about their mistreatment. HUD is deeply committed to protecting fair housing rights and making sure that housing providers understand the law."

The case is currently being litigated by the Justice Department.



Stonecleave Village. Photo courtesy of the Boston Globe.

Collegiate Partnership Campaign (continued from page 2)

When asked about the campaign, Assistant Secretary Trasvina drew parallels to the Civil Rights Movement, saying, "In 1963 Dr. King had a dream. Through this partnership, HUD empowers today's students to act on that dream in 2010. HUD is committed to ensuring that every door is open to future renters and home buyers."

For additional information about the college and university fair housing education and outreach campaign, go to <http://hud.gov/offices/FHEO/CollegiatePartnership/promotingfh.cfm>.