



# FAIR HOUSING NEWS

A newsletter about fair housing, community development, & neighborhood quality of life

## GREETINGS!!!

**Welcome To This Edition Of *Fair Housing News*,  
Produced By The GBCHRB As A Public Service!**

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subscription: 410-453-9500 / [wkladky@gbchr.org](mailto:wkladky@gbchr.org) /  
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On behalf of the GBCHRB, we would like to wish you  
& yours a Happy Holiday Season!

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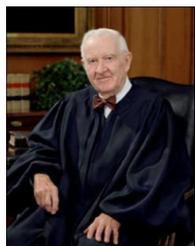


## NATIONAL FAIR HOUSING NEWS

### Over 60% of Hispanics Say Discrimination Is a Major

**Problem.** Over 6 in 10 Latinos in the US say discrimination is a “major problem” for them, a significant increase in the last three years, according to a [survey](#) of Latino attitudes by the Pew Hispanic Center, a nonpartisan research group. In 2007, 54% of Latinos said discrimination was a major problem; 46% said language as the primary cause for that discrimination. Now, 36% said that immigration status was the major cause. While 29% said the impact of illegal immigration on Hispanics in the US had been positive, 31% said it had been negative, up sharply from 2007. In 2007, before the recession began, half of Latinos said illegal immigration had had a positive impact on those already in this country. 86% of Latinos support legislation to open a path to citizenship for illegal immigrants if they pay fines, pass background checks, and have jobs. [Read the October 28, 2010 Times article.](#)

**Connecticut Town Investigated for Fair Housing Violation.** The United States Department of Justice is investigating Darien for possible violations of the Fair Housing Act for their new zoning regulation requiring developers of multifamily housing and subdivisions of five-plus homes to offer 12% of the units at below-market rates to six “priority populations” that are to be given preference for the affordable housing: Darien residents who volunteer as first responders; Darien public



employees; Darien residents who work in town; Darien residents; nonresidents who work in Darien; and former residents who want to move back. DOJ thought Darien’s list of preferences could be discriminatory in impact because the town has a small minority population of 5%. [Read the October 8, 2010 Times Article.](#)

**Supreme Court Justice Stevens Attacks “Invidious Prejudice.”** Justice John Paul Stevens, in a speech, confessed his initial negative reaction at seeing Japanese tourists

visit the U.S.S. Arizona memorial. “Those people don’t really belong here,” he thought. “We won the war. They lost it. We shouldn’t allow them to celebrate their attack on Pearl Harbor even if it was one of their greatest victories.” But then he said he recognized his mistake in “drawing inferences” about the group of tourists that might not apply to any of them. “The Japanese tourists were not responsible for what some of their countrymen did decades ago,” he said, just as “the Muslims planning to build the mosque are not responsible for what an entirely different group of Muslims did on 9/11.” Many Muslims who pray in New York City mosques, he added, “may well have come to America to escape the intolerance of radicals like those who dominate the Taliban.” Descendants of pilgrims “who came to America in the 17th century to escape religious persecutions” and helped establish our democracy should get that, he said. He ended with a powerful message: “Ignorance - that is to say, fear of the unknown - is the source of most invidious prejudice.” [Read the November 9, 2010 Times article.](#)



**Three Men Charged in Albuquerque, N.M., with Federal Hate Crimes Related to Assault of Disabled Navajo Man.** A federal grand jury indicted three men in Albuquerque on hate crime charges related to a racially-motivated assault of a 22-year-old man of Navajo descent who has a significant cognitive impairment. The three have been charged with one count of conspiracy and one count of violating the 2009 Matthew Shepard and James Byrd Jr. Hate Crimes Prevention Act. The indictment alleges that the defendants branded the victim by heating a wire hanger on a stove and burning his flesh, causing a permanent swastika-shaped scar on his arm. The defendants defaced the victim’s body with white supremacist and anti-Native American symbols, including shaving a swastika in the back of the victim’s head and using marker to write the words "KKK" and "White Power" within the lines of the swastika. The indictment also alleges that the defendants took advantage of the victim’s developmental disability to make him do a cell phone video in which he consents to the branding. [Read the November 12, 2010 DOJ Press Release.](#)

### **Bank of America Settles Discrimination Against Women**

**Lawsuit.** Bank of America has settled a lawsuit filed by a broker who claimed that the bank’s Merrill Lynch unit discriminated against women through its partnership model. A broker who worked at Merrill since 1992 sued the company last year in federal court in Manhattan. United States District Judge Shira A. Scheindlin wrote in a court order that both sides told her that they had reached a settlement. The lawsuit was filed 13 years after Merrill was sued for systemic sex discrimination against women, which led the firm to create a national account distribution plan. As part of that effort to eliminate bias, Merrill created partnerships, or teams, of brokers. The current discrimination suit argued that retention bonuses paid to brokers by Bank of America after acquiring Merrill reflected a bias against women. Women brokers were less productive than white men because of the firm’s “systemic discrimination,” and got lower bonuses as a result, according to the complaint. [Read the November 16, 2010 Times article.](#)



**UN Rights Panel Criticizes France and Denmark Over Roma Policies.** A United Nations-backed committee sharply criticized France for deporting large groups of Roma and not doing more to combat a growing racist and xenophobic tone. French police have been dismantling Roma camps in recent weeks and deporting Roma groups to Bulgaria and Romania, saying all those flown back to the Balkans were part of voluntary repatriation and had accepted payments of \$380 per adult and \$120 per child. The UN report found “not all individuals” had given “their free and full consent” or understood their rights - and urged France “specifically to avoid collective repatriation” and instead to seek permanent solutions for the Roma: “access to education, health services, housing and other temporary infrastructure.” Denmark was also criticized regarding Roma and told it should collect data

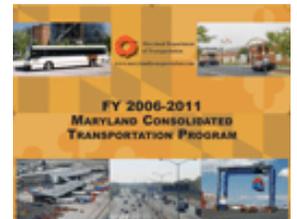
on the numbers and the legal status of Roma, give them access to shelters and public facilities, and protect them from racial profiling and hate crimes. Italy, Germany, and others have been criticized in earlier statements. [Read the August 27, 2010 Times article.](#)



## REGIONALISM NEWS

**The Center For Transit-Oriented Development (CTOD) Today Launched A First-Of-Its-Kind Web Database To Provide Access To Comprehensive Information About More Than 4,000 Transit Zones Across The United States.** The web tool will help developers, investors, and city officials make planning decisions that take advantage of development opportunities around transit nodes. The TOD Database - <http://toddata.cnt.org> - has info on density, demographics, occupation, and transportation habits of households near existing and proposed fixed-guideway transit stations, including commuter rail, streetcars, light rail, bus rapid transit, and ferries. The database covers 40,000 data fields at half mile and quarter mile buffers around fixed rail stations, and has maps of various transit regions, data reports for stations of interest, and breakdowns by geography or demographics. [Read the October 18, 2010 Article.](#)

**Reconnecting America - <http://www.reconnectingamerica.org/public/ra> - Is a Great Website for Regionalism & Transit Info.** Aside from its website rich with links and info, RA has 2 programs: [Center for Transit-Oriented Development](#) – like Maryland’s (right) - focusing on using transit investments to spur a new wave of development that improves housing affordability and choice, revitalizes downtowns and urban and suburban neighborhoods, and provides value capture for individuals, communities and transportation agencies; and [Reconnecting America's Transportation Networks](#) for “linking aviation, rail and intercity bus systems into an integrated network in order to improve economic productivity, enhance consumer choice and value, and improve environmental performance and energy efficiency.”



## IN DISABILITY NEWS



**Justice Department Reaches Agreement with Hilton Worldwide Over ADA Violations at Hilton Hotels and Major Hotel Chains Owned by Hilton.** The precedent-setting agreement under the Americans with Disabilities Act (ADA) will make state-of-the-art accessibility changes to 900 hotels nationwide. DOJ’s complaint alleges that Hilton’s hotels designed and constructed after Jan. 26, 1993, fail to comply with the ADA and DOJ regulations. Hilton operates a system of hotels throughout the United States under the trade and service names of "Hilton," "Conrad Hotels & Resorts," "Doubletree," "Embassy Suites," "Hampton Inn," "Hilton Garden Inn," "Hilton Grand Vacations," "Homewood Suites," "the Waldorf Astoria" and "Home2Suites." Allegations included failure to provide the required number of accessible rooms, failure to put accessible rooms among the various accommodations, failure to provide individuals with disabilities the ability to reserve accessible rooms through Hilton’s central reservations system on-line or by telephone, and failure to provide individuals with disabilities with the accessible sleeping accommodations that they reserved. The agreement is the first time DOJ has required a franchisor to require all franchised or managed hotels that enter into a new franchise or management agreement, experience a change in ownership, or renew or extend a franchise agreement, to conduct a survey of its

facilities and to certify that the hotel complies with the ADA; (2) An ADA agreement specifically detailed how a hotel reservations system should be accessible; and (3) A hotel chain has been required to make its online reservations system accessible and to provide on its website data about accessible features in guest rooms. Hilton agreed that all owned and joint venture hotels built after 1993 will be surveyed and brought into compliance with ADA title III, including accessible rooms among the various types of accommodations, providing accessible rooms with roll-in showers and tub seats, and providing accessible rooms for guests with hearing impairments; newer hotels will be surveyed for ADA compliance; Hotels constructed in the future will be required to comply with the ADA; Specific ADA training will be provided for staff; etc. [Read the DOJ November 10, 2010 Press Release.](#)



**Justice Department Makes the 2010 ADA Standards for Accessible Design Available Online.** The 2010 ADA Standards for Accessible Design were adopted as part of the revised regulations for Title II and Title III, ([www.ada.gov/2010ADASTandards\\_index.htm](http://www.ada.gov/2010ADASTandards_index.htm)) and set minimum requirements – both scoping and technical – for new construction and alterations of the governmental and private business. On July 26, 2010, the 20<sup>th</sup> anniversary of the ADA, President Obama announced newly revised ADA regulations. The final regulations were published in the *Federal Register* on Sept. 15, 2010. DOJ assembled an online version of the Standards to unite the information in one text-searchable location. DOJ also posted on the website guidance about the standards from the Title II and Title III regulations, providing detailed information about the 2010 Standards, including changes, the reasoning behind, and response to public comments. Title II of the ADA applies to state and local government entities, and protects individuals with disabilities from discrimination on the basis of disability in services, programs, and activities provided by government entities. Title III prohibits discrimination on the basis of disability in public accommodation (businesses that are generally open to the public and that are covered by the ADA. [Read the November 10, 2010 Press Release.](#)

**National Waste Removal Firm Admits Discrimination, Settles With EEOC For \$95,000.** IESI LA Corporation will pay \$95,000 to settle a 2009 disability discrimination suit by the U.S. Equal Employment Opportunity Commission (EEOC). The court-approved settlement resolves the charge of a former truck driver who worked for IESI at its facility in Shreveport, LA. The EEOC charged that IESI violated the ADA when it fired the driver because of his disability, dyslexia, although he was able to do essential job functions. After telling he is dyslexic, the supervisor fired the man, stating that he did not want to take the chance of his dyslexia causing him to see things “swirly” and have an accident. [Read the November 24, 2010 Press Release.](#)



## HUD DISCRIMINATION CHARGES

**HUD Charges Vicksburg, Mississippi Rental Property Manager & Owner With Race Discrimination.** HUD charged them with violating the Fair Housing Act by refusing to renew the lease of a white tenant at Shamrock Apartments because the tenant associated with African Americans and has a biracial daughter. The [HUD charge](#) alleges the

property manager made discriminatory statements about renting to African Americans and tenants associating with African Americans, and after discovering that an African-American man had visited the apartment, the tenant was told she was not permitted to have visitors not listed on her lease. Later, after a neighbor called the police when he saw an African-American man knocking on the tenant's door, the tenant was told her lease would not be renewed. The company told a prospective tenant that she was trying to "weed out" all the black people to make the apartment complex a "better place" to live, and a resident told a HUD investigator that she did not like renting to black people, especially black men, because all they did was cause trouble and because she wanted the white women living at Shamrock to feel safe living there.

### **HUD Charges Wisconsin Property Managers With Discriminating Against A Family Because They Have Children.**

HUD charged the managers of a three-bedroom duplex apartment in Outagamie County, Wisconsin, and the owner of the apartment with violating the Fair Housing Act by refusing to show an available apartment to a family with children. The owner falsely asserted that the unit was unavailable for viewing when it was, offered to show units only after families without children rejected them, and made discriminatory statements indicating a preference for renters without children. The father of three young children responded to an advertisement for the three-bedroom apartment and when the father told the owner he and his wife had children, she refused to show him the apartment. The couple then contacted the Metropolitan Milwaukee Fair Housing Council, which did telephone tests, and found the same behavior. [Read the October 21, 2010 HUD Press Release.](#)



### **HUD Charges New York Landlord With Discriminating Against A Tenant With Disabilities.**

HUD charged Heatherwood-Norwich Gate LLC, the owner and manager of an apartment complex in East Norwich, New York, with violating the Fair Housing Act for allegedly denying a resident with disabilities an accessible parking space he requested. HUD's charge also alleges that the complex refused to modify its first-come, first-served parking policy to accommodate the resident's request. The resident suffers from peripheral vascular and coronary artery disease and a non-healing wound in his foot, rendering him unable to walk long distances. According to HUD's charge, the resident informed the managers of his building of his condition and repeatedly asked for an assigned accessible parking space, but they denied his requests, citing their policy against designating spaces for residents. [Read the October 1, 2010 HUD Press Release.](#)



## **IN MARYLAND NEWS**

### **Baltimore City Again Sues Wells Fargo For "Racist, Predatory Lending Practices."** As reported in [The Baltimore Sun on October 23, 2010](#),

the City is suing Wells Fargo for a third time for causing increased foreclosures through its discriminatory practices. Previous suits have been dismissed, and Wells Fargo denies all allegations. The *Sun* article continues: "The latest complaint, filed Thursday in U.S. District Court, contains 14 new paragraphs that purport to address concerns that led Judge J. Frederick Motz to dismiss the case twice before - namely a lack of evidence that the mortgage lender was responsible for housing vacancies and millions of dollars in associated damages. In the second dismissal, Motz asked the city to show why the properties would not "have been vacant in any event." The new filing attempts to explain this through a general description of the ways in which lending to those who can't afford the loan leads to foreclosure."

### **Maryland Suspends Debt Collection Firm's License Under Payday Loan Law.**

A collection company hired by payday loan firms was suspended by regulators because the loans were given by unlicensed companies who violated state usury laws. The Maryland Collection Agency Licensing Board in the Office of the Commissioner of Financial Regulation suspended Smith Haynes & Watson LLC's license over complaints about collection efforts for payday loans made online to Maryland residents.



Smith Haynes & Watson (Kansas) was collecting debts for payday lenders including East Side Lenders LLC, of Newark, DE. (Payday loans are low-balance, short-term loans in which customers borrow from a few hundred dollars to a \$1,000 and pay high fees and interest rates; while banned in Maryland they are easily available online.) According to the complaints, consumers had applied for the loans online and got collection calls from Smith Hayes & Watson to repay the loans with a 782% annual interest rate. One customer borrowed \$300 from East Side Lenders and agreed to repay the amount plus \$90 finance charge within two weeks - a 995% annual interest rate; the agreement had the loan to be renewed up to four times with a \$90 finance charge added each renewal. . [Read the November 22, 2010 Daily Record Story.](#) Also, a **Payday Loan Shops Study Finds That Southern States Are Among The Most Targeted For These High-Cost, Low-Dollar Loans.** [See the Payday Loan Study Map.](#)



### **Maryland-Based Innershore Enterprises / Marlow 6 Theater To Pay \$20,000 For Disability Discrimination As Concession Manager Fired for HIV Condition.**

Innershore Enterprises, Inc., Marlow 6 Theater, will pay \$20,000 and significant remedial relief to settle a disability discrimination lawsuit brought by the EEOC. The EEOC said the company unlawfully fired a concession manager because of she had Human Immunodeficiency Virus (HIV). In its suit (Civil Action No. 8:09-cv-02481-DKC) filed in U.S. District Court for the District of Maryland, Southern Division, the EEOC charged that the Temple Hills theater fired the woman when the company became aware that she was HIV-positive. The ADA makes it unlawful to discriminate against a qualified individual because of an actual disability or because he or she had a record of disability or was regarded as disabled. The EEOC filed suit after first attempting to reach a voluntary settlement. The consent decree also requires that Innershore Enterprises / Marlow 6 Theater provide mandatory ADA training, post notices at its facilities about complying with the ADA, be enjoined from discriminating, and be monitored by EEOC for ADA compliance. [Read the November 22, 2010 Press Release.](#)

**Realtytrac Reports Maryland Foreclosures Have Declined.** Property foreclosures in Maryland fell to 14,087 filings in the third quarter, 9.9% below the previous quarter and down 4.8% from last year. The State's foreclosure rate improved from 149 households per foreclosure in the previous quarter to 166, moving the State's national ranking from the 11<sup>th</sup> highest to the 15<sup>th</sup> highest in the current quarter. The third quarter foreclosure rate in Maryland was 19.4% above the national average rate. The sharp decline in foreclosures is thought to be because of Maryland's new foreclosure mediation law that went into effect on July 1, 2010. Under this law, when a lender notifies a homeowner about possible foreclosure, the lender must provide complete information about options available, including specific modification programs, e.g., the federal Home Affordable Modification Program (HAMP), any lender-specific programs, and resources and assistance from nonprofits and government. In the US, there were a total of 930,437 property foreclosure filings (or events), including notices of default, notices of foreclosure sales and lender purchases of foreclosed properties, during 2010's third quarter. This was 3.9% above the previous quarter but 0.8% below 2009's third quarter. One in every



139 U.S. households received a foreclosure filing during the quarter, compared with 144 in the previous quarter. <http://www.mdhope.org/>



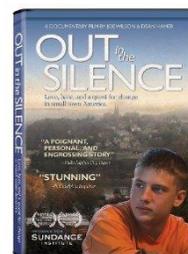
## INTERESTING EVENTS

**Importance of Housing To Be Discussed at the Final Session of the Homeless Persons Representation Project Speaker Series On Wednesday, December 8th.** The lecture will be from 7:00-8:30 p.m. at the Enoch Pratt Free Library's Wheeler Auditorium, 400 Cathedral Street, Baltimore. According to the flyer:

“Synthesizing and expanding upon ideas presented by Tanya Tull, Florence Roisman, and Trudy McFall, we will discuss the ‘next steps’ toward expanding housing opportunities in Baltimore and in Maryland.” Light refreshments will be provided. More info: 410-685-6589 ext. 24, or [mdwertman@hprplaw.org](mailto:mdwertman@hprplaw.org).

**On January 30, 2011, "[Out In The Silence](#)", a Film And Campaign For Fairness & Equality In Rural And Small Town America, Will Be Shown in Baltimore.** Cosponsored by the ACLU of Maryland and Equality Maryland, the award-winning documentary by Joe Wilson will be followed by a panel discussion on January 30, 2011 at 2:00 p.m. at the Enoch Pratt Central Library, 400 Cathedral Street, Baltimore. The film is the story of some rural Pennsylvania residents struggling for inclusion despite anti-gay sentiment. For more info, go to:

<http://wpsu.org/outinthesilence> or <http://www.prattlibrary.org/calendar/atpratt.aspx?id=59852>. The film also will be shown at The Park School of Baltimore on February 11, 2011, as part of the School's “Putting Gay in a Positive Light,” a program of the Cultural Diversity Reading, Film, & Discussion Group. More info: <http://www.parkschool.net/about/index.cfm?type=list&objectid=61> Or [buy the film at Amazon](#).



[REALTOR.org](http://REALTOR.org)

## RESOURCES

**HUD And The National Association of Realtors® (NAR) Unveil Three How-To Videos To Help Consumers Shop For A Home And**

**A Mortgage.** HUD and [NAR](#) have three how-to videos to help prospective homeowners find a home they can afford, shop for a sustainable mortgage, and what to expect when they go to closing. Produced by HUD in coordination with NAR, each video focuses on a critical part of the homebuying process including *Shopping for your Home*, *Shopping for your Loan*, and *Closing the Deal*. HUD's videos are accessible from both HUD and NAR's websites as well as from [HUD's YouTube channel](#).

**The ACLU Has a Great Slide Show on Baltimore's 1968 Riots.** Prepared in 2009 to mark the 40th anniversary of the riots in Baltimore and other cities sparked by the assassination of Dr. Martin Luther King, as well as the 40th anniversary of the passage of the Fair Housing Act, this was prepared by ACLU-MD Fair Housing Attorney Barbara Samuels and delivered at a presentation on racial segregation as a context for the riots, titled "The 1968 Riots and the History of Public Housing and Segregation in Baltimore" at the University of Baltimore's symposium "Baltimore '68: Riots and Rebirth." [Click here to view the page](#).

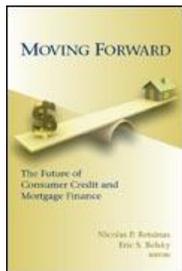


**Many More Fair Housing and Related Videos Have Been Added to the GBCHRB's YouTube Channel - [http://www.youtube.com/user/wkladky1!](http://www.youtube.com/user/wkladky1)**

Interviews about insurance problems, discrimination, affordable housing, Native Americans in Maryland, disability issues, and more. Also, it's easy to listen to a Fair Housing radio show - <http://www.gbchrb.org/2rad9899.htm> - Just click on any show, including foreclosure problems, Baltimore racial history, Fair Housing laws, disability issues, mortgage lending discrimination, & more.



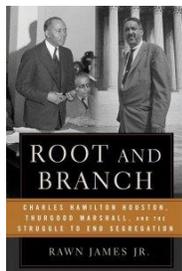
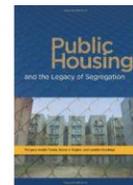
**The GBCHRB Distributes Free Fair Housing Brochures, Posters, and Guides.** [Contact us](#) for FREE Fair Housing info, brochures, & posters in English, Spanish, Korean, and Russian, as well as one specifically for people with disabilities.



## RELEVANT BOOKS

*Moving Forward The Future of Consumer Credit and Mortgage Finance.* Nicolas P. Retsinas and Eric S. Belsky, eds., Brookings Institution Press and the Harvard University Joint Center for Housing Studies, 2010 275pp. \$28.95. paper. Leaders in business, government, academia, and the nonprofit sector explore what caused the crisis, discuss new research and ideas about the future of credit markets, and how improvements might be shaped by industry leaders. The focus is upon opportunities and challenges associated with the global capital markets: financial engineering, risk assessment and management, specialization of financial intermediation, and marketing methods.

*Public Housing and the Legacy of Segregation.* By Margery Austin Turner, Susan J. Popkin, & Lynette A. Rawlings. Urban Institute, 2008. 304 pp. \$29.50. paper. Scholars and public housing officials assess whether and how public housing policies can simultaneously address the problems of poverty and racial discrimination.



*Root and Branch: Charles Hamilton Houston, Thurgood Marshall, and the Struggle to End Segregation.* By Rawn James, Jr. Bloomsbury Press, 2010. 288 pp. \$28.00. hardcover. The story of Charles Hamilton Houston, the first black president of the Harvard Law Review, who as dean of the Howard Law School had as a student Thurgood Marshall. The book shows how Houston (as legal theorist, strategist, and mentor), Thurgood Marshall, and Walter White (NAACP chief and financier), and other civil-rights lawyers went before the U.S. Supreme Court and its affiliates to argue for ending lynching, the poll tax, all-white juries, pay inequality, and unequal educational opportunity.

*When Gay People Get Married: What Happens When Societies Legalize Same-Sex Marriage.* By M. V. Lee Badgett. NYU Press, 2010. 288 pp. \$22.00. paper. Badgett, the research director of the Williams Institute for Sexual Orientation Law and Public Policy at UCLA, examines the potential US impact, using European Union countries, especially the Netherlands - where same-sex couples have had the right to marry since 2001 - as a possible comparison. She finds positive impact on marriage rates and intergroup relations.

