



# FAIR HOUSING NEWS

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



## FALL GREETINGS!

Welcome to this Edition of *Fair Housing News* Produced by the GBCHRB as a **Public Service!** To join the mailing list: <mailto:wkladky@gbchr.org>. You can go to our website <http://www.gbchr.org> for

laws, links, etc. See our [TV show on the YouTube Channel](#) or check out <http://www.gbchr.org/2rad9899.htm> for radio shows on topics about Fair Housing!

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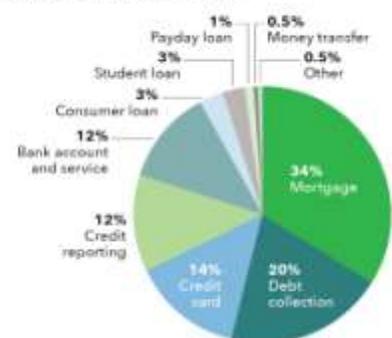
## NATIONAL NEWS

**HUD Report Finds Significant Rental Housing Discrimination Against People With Mental Disabilities.** The study, [Rental Housing Discrimination on the Basis of Mental Disabilities: Results of Pilot Testing](#), found that persons with mental disabilities get fewer responses to their rental inquiries, are told of fewer available units, and are less likely to be invited to contact the housing provider. It also discovered that they are less likely to be invited to tour a unit, are more likely to be steered to a different unit than the one advertised, are treated differently by disability type, were mostly denied their reasonable accommodation requests. The study was the first multicounty housing

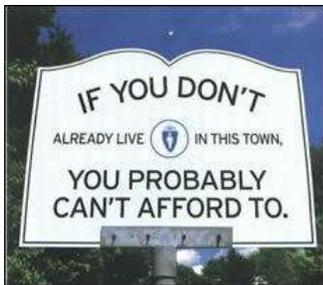
discrimination study to use people with mental disabilities as testers. Testing was divided equally between mental illness and intellectual developmental disabilities, and over 1,000 matched pair tests (i.e., pairing and comparing testers with mental disabilities with testers who have no mental disabilities, known as control testers). The results suggest that a wide effort to educate housing providers and persons with mental disabilities about their fair housing rights and obligations could be very helpful. The main pilot study and four supplemental papers can be found [here](#). [Read the September 5, 2017 HUD press release.](#)

**Homeowner's Lawsuit Accuses Wells Fargo of Charging Improper Mortgage Fees.** The lawsuit accuses Wells Fargo & Co (WFC.N) of improperly charging thousands of customers nationwide - including in Baltimore - to lock in interest rates when their mortgage applications were delayed. It said Wells Fargo managers

FIGURE 2: CONSUMER COMPLAINTS BY PRODUCT\*\*



pressured employees to blame homeowners for the delays, sometimes by falsely stating that paperwork was missing, so homeowners could be stuck with extra fees. Wells Fargo was fined in 2016 for opening accounts for customers without their authorization in order to boost sales. In September, 2017, a new lawsuit accused it of charging several hundred thousand borrowers for auto insurance not requested. This lawsuit accuses the bank of violating state and federal consumer protection laws, including the U.S. Real Estate Settlement Procedures Act and the U.S. Truth in Lending Act. Interest rate locks are guarantees by a lender to lock in a set interest rate, usually for several weeks, while a loan is processed. If the rate lock expires before a loan closes, lenders often cover the cost of extending the lock if the delay was their fault. Wells Fargo usually locked in rates for 30 to 90 days but often took longer than that to process applications because of understaffing, the lawsuit said. The bank routinely blamed borrowers for delays and charged them to extend rate locks, according to the lawsuit. Fees could be significant, amounting to 0.125 percent to 0.25 percent of the loan amount, the complaint said. The case is *Muniz v Wells Fargo & Co*, U.S. District Court, California Northern District, No 17-cv-4995. [Read the August 29, 2017 Reuters article.](#)



**Brookings Analysis Concludes ‘Exclusionary Zoning’ is Opportunity Hoarding by the Upper Middle Class.** Three factors have worsened U.S. economic inequality: geographical mobility is declining especially for less-skilled workers, housing is too expensive in the most prosperous areas, land use is over-regulated with exclusionary zoning becoming more prevalent in multiple cities. Zoning is exclusionary if its outcome is the separation of households based on their economic resources. Research has shown that exclusionary zoning is bad for the economy with two economists

estimating that the U.S. economy would be 10 percent larger if San Francisco, San Jose, and New York had the zoning regulations of the median American city. To keep their neighborhoods as "enclaves of affluence" by protecting the value of their property asset and their nearness to high-quality public schools, wealthier Americans inherently push for such zoning. Homes near good elementary schools are more expensive: about two and half times as much as those near the poorer-performing schools. In Seattle, single-family zoning covers 72 percent of land in the catchment areas of the 13 top-rated public elementary schools. "The segregation of the rich - which is growing rapidly in U.S. metropolitan areas," write two UCLA economists, "results in the hoarding of resources, amenities, and disproportionate political power." [Read the Brookings Institution article.](#)

### **Trump Administration Allows Westchester County to Abandon Fair Housing Effort.**

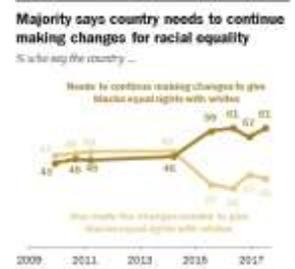
In 2009, a federal judge ruled that wealthy suburb Westchester County, just north of New York City, had violated fair housing laws and ordered the County to revise its zoning laws to not prevent integrated housing. The County had argued its zoning laws did not prevent minorities from moving in, although its typical town is Pound Ridge - which is 94 percent white, has almost all single families, and a zoning law that requires a special permit to build a multifamily building. After the 2009 ruling, Westchester filed 10 "analysis of impediments" that were rejected by the Obama administration for being inadequate. In June, 2017, however, the Trump administration allowed Westchester to take out the lines refuting discrimination. Subsequently on July 18, HUD accepted the edited report three months after rejecting the last. Fair housing advocates were disappointed but believe it is too soon to



predict that is how the Trump administration will handle future fair housing issues. [Read the August 1, 2017 Propublica.org article.](#)

### **Pew Center Study Finds Majority of Whites Believe US Needs to Continue Pushing for Equal Rights for Blacks.**

The 2017 study discovered that some 54% of whites think the country needs to continue making changes to give blacks equal rights with whites. Only 41% say the country has made the changes needed. This is a significant change from 2014, when just 39% of whites said the US needed to continue making changes to give blacks equal rights and 52% thought the country had made the needed changes. Most Blacks said the nation needs to continue making changes to give blacks equal rights with whites (88%), a 9% increase from 2014's 79%. For Hispanics, 69% say the US needs to do more to give blacks equal rights with whites, while 27% say it has made the necessary changes. The share saying the country needs to do more increased 15 points since 2014 and 22 points from 2009, when the Center first asked the question. Regarding the role of discrimination, 49% say that blacks who can't get ahead in this country are mostly responsible for their own condition; 41% say racial discrimination is the main reason why many black people can't get ahead these days. However, the percent who says racial discrimination is the main reason is up 9% since 2016 and is the highest it has been in Center surveys dating to 1994. [Read the October 5, 2017 Pew Research Center article.](#)



## **MARYLAND NEWS**

**Maryland Reaches Fair Housing Agreement with Federal Government.** Under the agreement, Maryland has agreed to finance the development of 1,500 affordable housing units in relatively prosperous neighborhoods across the Baltimore region and revise its policies that were supporting continued

segregation. The agreement with HUD settles a 2011 fair-housing complaint by a coalition of civil rights and fair-housing advocacy organizations that included the ACLU of Maryland, [Citizens' Planning & Housing Association](#), [Innovative Housing Institute in Baltimore](#), and the [Poverty & Race Research Action Council](#) of Washington, D.C. The coalition ([Baltimore Regional Housing Campaign](#)) accused the state of reinforcing housing segregation by concentrating subsidized, affordable housing developments in less desirable areas instead of throughout the region. "What this means is there are going to be more housing options for families with kids in areas that have good schools, other services, and amenities and lower poverty that are conducive to raising kids," said Barbara Samuels, a fair-housing attorney for the [ACLU of Maryland](#). Also under the agreement, the state will revise its point system for awarding tax credits to better direct projects to more prosperous neighborhoods.



Previously, projects had to be within a mile of public transportation - difficult to meet in wealthier suburbs. Now, projects distant from a bus stop or train station can have an on-demand van or bus as an alternative. The revised system will also give more points to projects with multiple bedroom units, thus encouraging more developments for families. The agreement also requires that projects receiving tax credits in disadvantaged neighborhoods are part of a wider community revitalization effort bringing retail and other services to the area. [Read the October 3, 2017 Baltimore Sun article.](#) [Read the HUD press release.](#)



### **Leaders of a Harford County Church Make a Public Declaration against Hate.**

“I felt that we needed to speak positive words in a negative situation,” the Rev. Norman Obenshain, pastor of the Havre de Grace United Methodist Church, said about the resolution against racism and violence passed by the Church’s 15-member governing council. The pastor said the resolution was in response to battles between white supremacists and counter-protesters in Charlottesville, Virginia, in which three people died and many were injured, as well as other incidents. The Church's resolution says, in part: “Resolved, that we strongly denounce and oppose the manifest intimidation, violent terrorism, xenophobic biases, and bigoted ideologies being promoted and executed by multiple groups across this country.” The pastor said the resolution was inspired by a resolution passed by the Illinois State Senate on August 14, 2017, that condemned white supremacist and neo-Nazi organizations and urged law enforcement prosecute them as terrorist groups. [Read the October 9, 2017 Baltimore Sun article.](#)

### **Residents of Towson Neighborhood Confront Racist Covenants.**

Residents of Rodgers Forge recently discovered that a covenant from the late 1940s still attached to the deeds of some houses states: "No person of any race other than the white race shall use or occupy any building on any lot" excepting “This covenant shall not prevent occupancy by domestic servants of a different race domiciled with an owner or tenant.” The [Rodgers Forge Community Association](#) vowed to remove the language. The Baltimore Sun then editorialized: "It’s one thing for a neighborhood association to issue a statement of inclusivity. It’s another to make the effort to go door to door, block to block to collect signatures renouncing discrimination. That sends a more powerful and tangible positive message than some old, unenforceable covenants written by people who are likely long dead sent a negative one. We wish the Forge the best of luck in this effort and urge any other neighborhoods with such language attached to their deeds to follow its lead." At its September meeting, the Association authorized funds to find out how to remove the covenant language. [Read the September 10, 2017 Baltimore Sun article.](#)



## **HUD & DOJ ENFORCEMENT**

### **HUD Charges West St. Paul, Minnesota Landlord With Housing Discrimination After Denying Veteran The Right To Keep His Assistance Dog.**

They refused to allow an Army veteran, who served tours of duty in Iraq and Afghanistan, to keep an emotional support animal. [Click here to read the charge.](#) The veteran filed a complaint alleging that the owner and manager denied his request to keep an assistance animal, despite explaining his right to have the dog. In response, the owner suggested that he get a cat instead, citing the property's policy of allowing cats but not animals weighing over 12 pounds. After the veteran followed the rules for the dog, he was notified that he was in violation of his lease and that he had two weeks to leave. While the eviction action was later withdrawn, the veteran was not allowed to keep the animal and moved out at the end of his lease. Disability is the most common basis of complaint filed with HUD and its partner agencies. In 2016, HUD and its partners dealt with over 4,500 disability-related complaints, amounting to almost 55 percent of all fair housing complaints. [Read the October 6, 2017 HUD article.](#)

**The U.S. Department of Justice (DOJ) Settles Housing-Bias Suit With Seattle Apartment Owner.**

The DOJ had sued the apartment owner and manager, alleging violations of the federal Fair Housing Act at three rental properties that she refused to rent to families with children. She told a woman seeking an apartment for herself, her husband, and their 1-year-old child that the rental properties were “adult only” and not available to her family. She also advertised available apartments as restricted to adults. The family filed a complaint with HUD, which investigated and issued a discrimination charge. HUD referred the case to DOJ. The \$95,000 settlement includes \$35,000 in damages to a family that they turned away because the family had a small child; \$35,000 to compensate other families that were impacted by the defendants’ practices; and \$25,000 as a civil penalty. [Read the September 6, 2017 Seattle Times article.](#)



**Justice Department Sues Guam’s Government for Racial and National Origin Discrimination against non-Chamorros in Violation of the Fair Housing Act.**

Guam made only native Chamorros - descendants of the indigenous peoples of the territory - eligible for 99-year residential leases for one-acre tracts administered by the Chamorro Land Trust Commission as part of the Chamorro Land Trust Act. The Act covers 15 percent of Guam's total land area, leases cost \$1.00 annually, and eligible households receive numerous housing-related benefits (e.g., below-market-rate loans). The complaint alleged that an African-

American man was evicted from the home he and his wife built on Trust-administered land after his wife, who was Chamorro, passed. Chamorros are 37.3% (plus an additional 6.1% who identify as two or more races/ethnic origins including Chamorro) of Guam's population. The complaint wants a court order that would (1) declare that the Chamorro Land Trust Act and its regulations invalid if they require or permit any discriminatory housing practice under the Fair Housing Act, (2) stop the defendants from discriminating on the basis of race and national origin in leases and benefits under the Act, (3) award monetary damages for harmed persons, and (4) require civil penalties. [Read the September 28, 2017 DOJ press release.](#)

**DOJ Gets \$70,000 Settlement of Fair Housing Lawsuit against the Housing Authority of Anderson, Indiana.**

The settlement with the Housing Authority of the City of Anderson, Indiana, which owns and operates 143 public housing units in the city, resolves allegations that the Housing Authority discriminated against unit tenants on the basis of sex and disability. Under the agreement, the Housing



Authority will pay \$70,000 to each of the seven victims of discrimination identified by the DOJ, implement nondiscrimination policies and procedures, provide fair housing training for its employees, stop doing any illegal conduct, and make periodic reports to the DOJ about its specific compliance. The lawsuit alleged that female tenants were sexually harassed by Authority employees, and the Authority discriminated against tenants with disabilities. The disability discrimination included denying requests for reasonable accommodations, such as requests to be transferred to first floor units and for a designated accessible parking space. [Read the September 14, 2017 DOJ press release.](#)

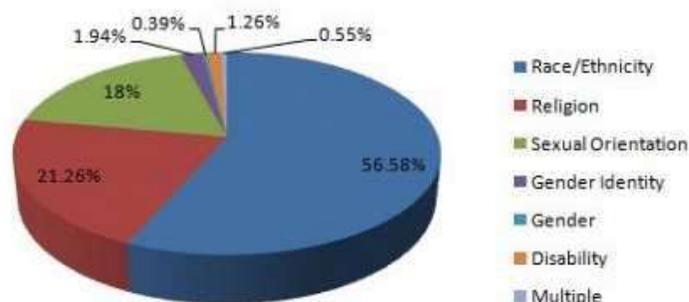


**Justice Department Obtains \$150,000 Settlement in Sexual Harassment Lawsuit Against Owner and Manager of Michigan Rental Properties.** The owner and manager of rental properties in and around Grand Rapids, Michigan, will pay \$150,000 to resolve allegations that he sexually harassed multiple women who have lived in or inquired about his rental properties. Under the settlement agreement, the owner and manager will pay \$140,000 to compensate ten victims and any additional individuals who are determined to be victims through a process in the agreement, as well as \$10,000 as a civil penalty to the United States. He is also prohibited from discriminating, must establish a non-discrimination policy, and hire an independent manager for the rental properties. The conduct included making unwelcome sexual comments and advances, engaging in unwanted sexual touching of these women, offering housing benefits in exchange for sex acts, and taking or threatening to take adverse housing-related actions against women objecting to his harassment. [Read the October 4, 2017 Realestaterama.com article.](#)

### **Two Texas Men Plead Guilty to Federal Hate Crime for Assaults Based on Victim's Sexual Orientation.**

According to the plea agreement signed by one of the defendants in January, the three defendants used Grindr, a social media dating site for gay men, to arrange to meet the victim at his home. Once in the home, the defendants restrained him with tape, physically assaulted him, and made derogatory statements to the victim for being gay. The defendants showed a firearm during the home invasion, and stole the victim's property, including his car. A separate plea agreement admitted the three used the same scheme on a different victim, including restraining him and covering his eyes with tape, verbally berating him for his sexual orientation, and physically assaulting him. A federal grand jury previously returned an eighteen-count indictment against the three including charges of hate crimes, kidnappings, carjackings, and the use of firearms to commit violent crimes. The indictment also charged the three with conspiring to cause bodily injury because of the victim's sexual orientation during the four home invasions. The three face a maximum statutory penalty of life in prison and a \$250,000 fine for their guilty plea for the hate crime charge. [Read the August 22, 2017 DOJ press release.](#)

**Incidents by Bias Type**



**Center for Responsible Lending (CRL) Study of 2016 HMDA Data Finds African-Americans and Latinos Remain Underserved Despite Growing Market.** The Home Mortgage Disclosure Act (HMDA) requires an annual public accounting of the nation's mortgage lending. Its data provides critical information for both the public and financial sectors by alerting the nation to trends on the groups of Americans that are actually receiving mortgage loans

from financial institutions. For the third straight year, CRL’s HMDA analysis finds that mortgage lending overall has not been affected by lending rules like the Ability-to-Repay and Qualified Mortgages, also known as QM. Instead, lending trends show incremental increases signaling modest growth in 2014, 2015, and again in 2016. In 2016, 2,123,000 conventional loans were approved. An additional 866,000 non-conventional loans were also made last year. Despite these encouraging signs, consumers of color and low-wealth families still lack access to conventional loans. Consumers of color received a combined 187,958 conventional loans or 9% of 2016’s conventional mortgage loans. By contrast, 324,566 non-conventional mortgage loans were approved in 2016 for African-Americans and Hispanic Whites. Another disturbing and continuing trend is the high rates of denial in mortgage applications filed by consumers of color. African-Americans still have the highest denial rate and Hispanic White applicants were also denied more often than Whites. [Read the September 29, 2017 CRL article.](#)

## 23<sup>rd</sup> ANNUAL ADL IN CONCERT AGAINST HATE

**October 30th is the 23rd Annual ADL In Concert Against Hate.** Featuring the National Symphony Orchestra conducted by Emil de Cou, "the Concert honors heroes in the battle against intolerance, injustice and extremism. These extraordinary people have acted with exceptional strength,

courage and compassion when confronted by the forces of hate. It will be held at 8:30 p.m. at the [John F. Kennedy Center for the Performing Arts](#) in Washington, D.C. The ADL In Concert Against Hate tells the stories of ordinary men and women who have performed extraordinary acts of courage and compassion when confronted by hatred and bigotry. These are individuals who could not stand by while others were the targets of injustice, but instead chose to act. We also tell the stories of people who were themselves targets of hate, including those who have lost their lives in this struggle. The Concert was held in 1995 as a special event to commemorate the fiftieth anniversary of the end of the Holocaust. The concert honored the memory of four individuals who are recognized as “Righteous Among the Nations” – non-Jews who rescued Jews from the Nazis during the Holocaust. Response to the concert was so strong that what was intended to be a one-time experience was transformed into an annual tradition, which brings thousands together to be inspired by the stories of real heroes and to stand up against all forms of bigotry, injustice and extremism." For more information and tickets: <https://www.adlconcert.org/>.



### DID YOU KNOW?

**On October 2, 2017, Thurgood Marshall - the grandson of a slave - took the required two oaths and was seated as the first African American U.S. Supreme Court Justice.** He had been nominated by President Lyndon B. Johnson (D). Marshall took the constitutional oath of office from Justice Hugo Black, who had once been a member of the Ku Klux Klan. The judicial oath

that Marshall took in putting his right hand on a Bible held by the clerk of the Supreme Court contains a promise that the justice will “administer justice without respect to persons, and do equal right to the poor and to the rich.” [Read the October 2, 2017, Washington Post article.](#)

## FAIR HOUSING RESOURCES



**Interested In Fair Housing? Community Development? Insurance? Foreclosure Prevention? Check Out the [GBCHRB's YouTube Channel!](#)**

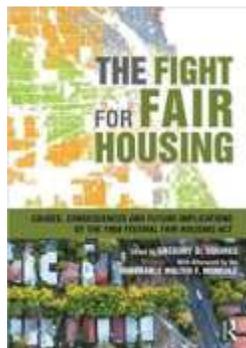
You can watch interviews about insurance, discrimination, affordable housing, Fair Housing laws, disability issues, mortgage lending, and related issues. Our radio shows: <http://www.gbchr.org/2rad9899.htm>.

### **The GBCHRB Distributes Free Fair Housing Brochures, Posters, and Guides.**

We have Fair Housing information, brochures, guides, & posters in English, Spanish, Korean, Russian, and for people with disabilities. We also distribute brochures and guides about housing and insurance. 410.929.7640 / <mailto:wkladky@gbchr.org>.



**What Do You Think of This Newsletter?** Is it good? Bad? How can we improve it? What issues should we cover more? Less? Any good ideas? Tips? Positive or negative, we want to hear from you! We appreciate constructive criticism! Send comments to <mailto:wkladky@gbchr.org>.



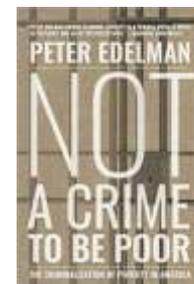
## INTERESTING BOOKS

To be published:

*The Fight for Fair Housing: Causes, Consequences and Future Implications of the 1968 Federal Fair Housing Act* by Gregory Squires, ed. Routledge. \$44.95 hardcover. 336 pages. This is a collection of articles about the passage and impact of the Federal Fair Housing Act of 1968. Writers include Myron Orfield on suburban integration, Douglas S. Massey and Jacob Rugh on the intersection of race and class, and Thomas J. Sugrue on "From Jim Crow to Fair Housing."

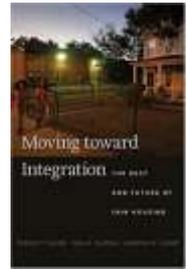
Should be interesting. October 22, 2017.

*Not a Crime to Be Poor: The Criminalization of Poverty in America* by Peter Edelman. The author cites the many policies and practices - such as the money bail systems, fees and fines, strictly enforced laws and regulations against behavior including trespassing and public urination that largely affect the homeless, and the substitution of prisons and jails for the mental hospitals - that have essentially made it a crime to be poor. And this is one of the richest nations in the world. Included are good analyses of the interrelationships between school discipline in poor communities, child support policies affecting the poor, public housing ordinances, addiction treatment, and public benefits fraud, in a retributive system that forces communities into inescapable cycles of poverty. October 31, 2017.



*The One-way Street of Integration: Fair Housing and the Pursuit of Racial Justice in American Cities* by Edward G. Goetz. Cornell University Press. \$34.95 hardcover. 228 pages. A critical analysis of the nationwide effort to dismantle public housing by focusing on the impact of policy changes in three cities: Atlanta, Chicago, and New Orleans. March 15, 2018.

***Moving toward Integration: The Past and Future of Fair Housing*** by Richard H. Sander, Yana A. Kucheva, and Jonathan M. Zasloff. Harvard University Press. \$49.95 hardcover. 580 pages. This is an historical analysis of how fair housing laws were shaped and implemented and why they had a much larger impact in some parts of the US than others. It includes subjects like exclusionary zoning and income differences between blacks and whites. April 1, 2018.



## REST IN PEACE

### **Dick Gregory, Civil Rights Activist and Comedian, 84.**

Gregory was a "pioneering satirist who transformed cool humor into a barbed force for civil rights." "Segregation is not all bad," he would say. "Have you ever heard of a collision where the people in the back of the bus got hurt?" Or: "You know the definition of a Southern moderate? That's a cat that'll lynch you from a low tree." Or: "I heard we've got lots of black astronauts. Saving them for the first spaceflight to the sun." Some lines became classics, like the one about a restaurant waitress in the segregated South who told him, "We don't serve colored people here," to which Gregory replied: "That's all right, I don't eat colored people. Just bring me a whole fried chicken." Gregory joined marchers at many protests, including one by the Milwaukee NAACP Youth Council and other civil rights activists that was 200 days of marches for open housing. He said "I came here to be with you until it's over, one way or another," Gregory told the marchers, according to a September 3, 1967, *Milwaukee Journal* story. Gregory helped lead the marches for more than two weeks, and returned to take part in several more over the course of the following six months. He and 10 others were arrested and charged with disorderly conduct for blocking police cars during a march on October 8. (He was later found guilty and fined the maximum, \$100.) As the President of the National Urban League said, "He was a frequent speaker at Urban League events and his sharp-witted insight will be sorely missed. With the nation facing a crisis of racial hostility, we would do well to be guided by his unwavering dedication to justice." Amen. [Read the National Urban League statement.](#) [Read the August 20, 2017 Milwaukee Journal Sentinel article.](#) [Read the August 19, 2017 New York Times article.](#)

