



FAIR HOUSING NEWS

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



EQUAL HOUSING OPPORTUNITY

SUMMER GREETINGS!

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

links, etc. See our TV show on the YouTube Channel - <http://www.youtube.com/user/wkladky1>! Or, check out <http://www.gbchrb.org/2rad9899.htm> for radio shows on topics about Fair Housing! Don't forget our [Fair Housing Maryland](#) blog.

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NATIONAL NEWS

Advocates Condemn HUD's New Effort to Weaken Critical Anti-Discrimination Provisions of the Fair Housing Act. The proposed HUD rule includes eliminating the established principle of "perpetuation of segregation" from the definition of Disparate Impact; new "prima facie case" requirements to make it almost impossible to bring a successful case; a new requirement of "robust causality" that probably will inspire endless litigation and help defendants evade liability; and a statement that arbitrary and discriminatory exclusionary zoning decisions will not be covered by the fair housing act unless they are part of a broader "policy." The measures' net effect would be to make most types of modern housing discrimination beyond legal remedy. PRRAC Deputy Director Megan Haberle also stressed that "HUD is ignoring the historical and current practices that continue to drive segregation in our cities and metro areas." [Read the August 1, 2019 PRRAC press release.](#)

US GAO Report Shows Harm to Consumers from HUD Loan Auctions to Private Equity Firms. The [report](#) by the U.S. Government Accountability Office (GAO) on the HUD Loan Sale Program evidences how it has harmed FHA-insured homeowners. According to the GAO, the mortgage loans sold through this program mainly to private equity companies have done worse and were more likely to result in foreclosure than unsold loans. HUD, through its Loan Sale Program, has auctioned around 110,000 loans valued at over \$19 billion via the bulk sale of large pools of FHA-insured loans, which are intended to provide financing for home purchases by low- to moderate-income homeowners, especially in communities of color. The report found borrowers whose loans are sold are typically facing financial stress and have defaulted on payments. Once the loan is sold, the borrowers lose their



rights to the protections of FHA rules designed to help them avoid foreclosure. The report confirms 2017 findings by the HUD inspector general that the agency did not have federally required rules in place to operate the loan sale program. GAO's report also found that HUD had no effective systems or benchmarks to measure how the program affected borrowers. Instead, the GAO said, HUD considered preserving homeownership and stabilizing neighborhoods only side benefits that were not program objectives. [Read the August 2, 2019 NCLC press release.](#)

Domino's Asks US Supreme Court if Protections for People with Disabilities Apply Online.

Supported by the U.S. Chamber of Commerce and the largest retailers, Domino's wants the Supreme Court to decide whether the Americans With Disabilities Act applies equally to the Internet. The ADA "says nothing about the accessibility of websites or applications on smartphones, whether standing alone or in connection with restaurants, stores, or any other brick-and-mortar establishments that qualify as public accommodations," wrote the lawyer who represents Domino's. "When Congress passed the ADA in 1990, websites were in their infancy, and apps did not yet exist." Lower US courts have ruled the statute does apply, while differing when and to whom. As a result, there were 2,250 federal suits claiming ADA violations for website inaccessibility filed in 2018, nearly triple the year before. [Read the July 20, 2019 Washington Post article.](#)



HUD and Los Angeles Reach Historic Settlement Resolving Disability Discrimination and Lack of Accessible Housing.

As a result, the City will invest hundreds of millions to produce thousands of accessible units city-wide. It resolves longstanding HUD findings of noncompliance with Section 504 of the Rehabilitation Act of 1973 and Title II of the Americans with Disabilities Act. As HUD will continue funding the City under the Community Development Block Grant (CDBG) and HOME Investment Partnerships programs, some 10,000 units of new affordable housing will be developed over the next ten years, including 1,500 accessible units for individuals with disabilities, exceeding current state and federal requirements. The City will provide 3,100 accessible housing units for individuals with disabilities by retrofitting hundreds of existing affordable housing developments that were not constructed or rehabilitated to meet federal accessibility standards. [Read the agreement.](#) In addition, the City and HUD will work on an innovative "Enhanced Accessibility Program" to have accessibility features in future affordable housing developments. [Read more about the agreement.](#) [Read the August 2, 2019 HUD press release.](#)

ACLU files Discrimination Lawsuit against Virginia Apartment Complex for using Criminal Record Screening.

The ACLU's lawsuit holds the policy at the Sterling Glen Apartments in Chesterfield, Virginia discriminates against African Americans by banning possible renters because of their felony criminal records and convictions for less serious offenses (e.g., drug possession). The purpose of this policy, the lawsuit argues, is to keep African Americans from renting in the complex. While 22% of Chesterfield County's residents are African Americans, 46% have felony convictions. The apartment complex owner replied that the original background check clause was put in only to notify applicants of a background check, not to ban criminals as a whole. In 2016, the U.S. Department of Housing and Urban Development (HUD) released a guidance that said "disparate" - or unfair - methods of reviewing housing applications are discriminatory, "such as a refusal to rent or renew a lease based on an individual's criminal history." [Read the June 5, 2019 Washington Post article.](#) [View the June 6, 2019 NBC-12 story.](#)



CAIR Renews Call To Remove Confederate Symbols Nationwide On 2nd Anniversary Of Charlottesville White Supremacist Terror Attack. The Council on American-Islamic Relations (CAIR), the nation’s largest Muslim civil rights and advocacy organization, called on all local governments to remove all Confederate symbols from public spaces. This came on the second anniversary of the deadly 2017 terrorist attack targeting anti-racist protests in Charlottesville, Virginia amid surging white supremacist terrorism and racist, Islamophobic, and anti-immigrant violence and rhetoric. Shamefully, monuments to Confederate generals Robert E. Lee and Stonewall Jackson remain standing in that city.



“Confederate symbols glorifying white supremacy and treason are a stain on our nation’s past and present that must be removed if we are to move forward as a just society in which people of all faiths and backgrounds have equal rights and dignity,” said CAIR National Executive Director Nihad Awad. “Symbols honoring those who sought to destroy the nation in order to preserve slavery and white supremacy were put in place as acts of intimidation and must be removed.” USE: #RemoveConfederateMemorials. [Read the August 12, 2019 CAIR press release.](#)

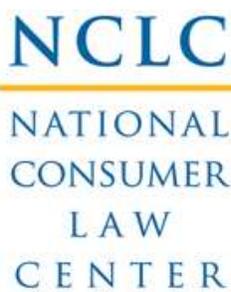


LENDING NEWS

New York Leads Investigation of Payroll Advance Industry for Legal Violations. Companies are suspected of charging usurious interest rates and engaging in potential violations of payday lending laws, the regulator said. New York is joined by financial regulators from 10 states and Puerto Rico. The payroll advance industry gives consumers access to wages earned before payday. The companies, which operate through websites and apps, generally claim to charge low or no interest while charging monthly membership fees, tips and other fees. In March, 2019, the New York regulator began probing into Earnin, a cash-advance app, about whether the company is violating New York lending laws. The regulator subpoenaed numerous records, including details about its New York customers and tipping. [Read the August 6, 2019 Reuters article.](#)

Advocates Urge Consumer Financial Protection Bureau (CFPB) to Enforce the Payday Lending Rule Payment Protections. [Read the August 12, 2019 letter.](#)

Consumer watchdog groups urged immediate action to implement the payment provisions in its payday lending rule, whose compliance date is August 19, 2019. These provisions stop payday and vehicle-title lenders from trying to withdraw money from borrowers’ bank accounts after two attempts have failed, a practice that harms struggling consumers. The safeguards will help consumers avoid fees for unsuccessful debit attempts. The CFPB is refusing to implement the provisions. The letter was sent by Public Citizen, Americans for Financial Reform Education Fund, the Center for Responsible Lending, and the National Consumer Law Center (on behalf of its low-income clients).



National Consumer Law Center (NCLC) Attacks Federal Housing Finance Agency's (FHFA) Removal of Language Preference Question on Mortgage Application. This is a reversal of the FHFA's previous decision to include the question about the mortgage applicant’s language preference from the Uniform Residential Loan Application, the form used widely across the mortgage market.

FHFA now will remove the question and instead develop a different, optional form concerning language preference and housing counseling status.

“Removing the language preference question from a form that is mandatory for Fannie Mae and Freddie Mac and universally used in the home loan application process and putting it instead into a form that is optional and unknown will undercut the goals FHFA is required to advance under its statutory duty to serve underserved communities,” said the National Consumer Law Center. “The first step to increasing in-language service is asking about language preference.” NCLC joined the [statement](#) of the Americans for Financial Reform (AFR) Language Access Task Force criticizing FHFA’s decision to not have the language access question. Read the April 18, 2019 [group letter](#) to the FHFA supporting its recent language access progress. [Read the August 9, 2019 National Consumer Law Center press release.](#)



HUD Approves Settlement Between California Reinvestment Coalition And Cit Bank DbA Onwest Bank Resolving Allegations Of Discriminatory Redlining in the Los Angeles Area.. [Read the agreement.](#)

The complaint, filed by the California Reinvestment Coalition, alleges OneWest Bank (a retail bank with 60 branches in Southern California) from 2014 to at least 2017 discriminated in marketing and origination home mortgages. Evidenced by the low number of mortgages it made to African-American and Latino borrowers compared to the area's demographics and the industry, the bank located and had branches in areas not serving minority neighborhoods. Under the settlement, the bank will invest \$5 million in a loan subsidy fund to increase credit opportunities for majority-minority neighborhoods; spend \$1.3 million in advertising and community outreach; and provide \$1 million in grants for homebuyer education, credit counseling, community revitalization, and homeless programs. OneWest Bank also will originate \$100,000,000 in home purchase, home improvement, and home refinance loans to borrowers in majority-minority areas, and open a full-service branch in a majority-minority and low- and moderate-income neighborhood. [Read the July 29, 2019 HUD press release.](#)

National Consumer Law Center Urges Repeal of New US Department of Homeland Security Regulation including Credit Scores and Credit Report in Reviewing an Immigrant's Visa / Green Card Application.

The regulation includes these sources in an expanded list of sources for determining if someone is a "public charge." The Law Center said that there are many errors in credit reports and the [Federal Trade Commission has found that](#) 20% of consumers had found errors in their credit reports with 5% having serious errors. "DHS states it would not consider any error on a credit report, but only if the error has been verified by the credit bureau. Yet credit bureaus are [notorious for obstinately refusing to correct errors](#) after repeated disputes, even in the face of obvious evidence that information is inaccurate. Furthermore, credit reports are not available in languages other than English..., immigrants are unlikely to have credit histories and credit scores, ... and the [Federal Reserve has](#) found that their scores are artificially low. Finally, use of credit scores will have a disparate impact on immigrants of color. [Study after study](#) has found that African American and Latino communities have lower credit scores as a group than whites, likely due to historical discrimination.”



[Read the August 12, 2019 National Consumer Law Center press release.](#)

Jewelry Maker Alex and Ani Sues Bank of America for \$1.1 Billion Alleging Lending Discrimination Against a Women-Led

Company once in Ads Promoting the Bank’s Commitment to Diversity. The business got a revolving line of credit from the bank in 2016, but this was canceled in 2018. The business alleges this was canceled illegally. [Read the July 26, 2019 Washington Post article.](#)



MARYLAND NEWS

The Maryland Insurance Administration has released a Short Video with Important Information about Flood Insurance. You can view the interesting video at their website: <https://www.facebook.com/MDInsuranceAdmin/videos/3100788203295592>. There are also other videos about Flood

Insurance For Mobile Homes, Can Flood Insurance be Escrowed?, How to Get Flood Insurance, Four pillars about flood insurance, how a building's foundation affects insurance rates, flood insurance for FHA loans, etc. [The MIA website](#) has much information about the different types of insurance, the regulatory process, fraud, contacts, etc.; along with info for consumers, insurers, and producers.

The Maryland Commission on Civil Rights is accepting applications for the Western Maryland Advisory Council.

MCCR is seeking leaders who are enthusiastic about promoting and improving civil and human rights in their communities to serve on its Western Maryland Advisory Council. Requirements for Membership are that you must be at least 18 years old and live in Frederick, Washington, Garrett, or Allegany counties; members will be appointed as individuals and not as official representatives of organizations; one member will be prioritized as a qualified applicant between the ages of 18 to 25; and members should be familiar with and supportive of MCCR’s mission, vision, and statutory jurisdiction. The WMAC's objectives are: to assist with the furtherance of the mission of the Maryland Commission on Civil Rights; to serve as a regional point-of-contact on issues within the area; to increase public awareness of the services offered by MCCR as well as their protections under State law; and to build sustainable partnerships and connections to promote and improve civil and human rights statewide. The WMAC serves as the “eyes and ears” of the MCCR in the Western Maryland region and helps form a stronger, strategic network of partners committed to civil and human rights. [Click here to submit an application online.](#) For more info, contact Spencer Dove at 410-767-8576 / spencer.dove@maryland.gov or Tara Taylor at 410-767-6459 / taylor@maryland.gov.



HUD & DOJ ENFORCEMENT

HUD Settles Claim of Discrimination Against Edgewater, New Jersey Apartment Owner for Denying a Person with Disabilities an Assistance Animal. [Read the Order.](#) HUD had filed against Hudson Harbour Condominium Association in 2018 alleging that it required the resident, who is a person with hearing and sight disabilities, to cage her animal in common areas and use the service entrance to enter and exit the building with the animal. Under the Order, the Association will pay \$30,000 to the resident and adopt a reasonable accommodation policy complying with the Fair Housing Act. Also, Association board members and employees with contact with residents will attend fair housing training. [Read the July 29, 2019 HUD press release.](#)

HUD Settles with Corona, California Townhomes Company For Rental Discrimination Against an African-American. The \$10,000 Conciliation Agreement is the Fair Housing Council of Riverside County (FHCRC), CADO Real Estate Group and LCG Harrington, LLC, the agents/mortgage company for Boardwalk Townhomes in Corona. [Read the Agreement](#). The FHCRC filed a complaint alleging that its fair housing tests found real estate agents for CADO Real Estate Group treated African-American testers less favorably than testers posing as whites. African-American testers were told that there were no homes available when there were and were had to fulfill harder pre-qualification requirements. Under the agreement, CADO Real Estate Group will pay \$10,000 to FHCRC, and its agents will attend fair housing training. [Read the July 23, 2019 HUD press release](#).



HUD Settles with Las Vegas Management Company Accused Of Housing Discrimination Against Families with Children. The Conciliation Agreement with Meadow Ridge LV, LLC, and ConAm Management Corp., the owner and manager of Meadow Ridge Apartments, settles claims that the owner and manager discriminated against families with children by denying unsupervised children's access to the property's common areas. [Read the Agreement](#). A mother living at Meadow Ridge Apartments filed a complaint that the property manager made her son and other children leave a recreational area of the complex after seeing the children playing without parents. The complainant also alleged that the owner and manager had an unwritten policy that children could not use common spaces without adult supervision. The owner and manager will pay \$5,000 to the mother and allow her, if she chooses, to end her lease after a 30-day written notice without penalty. Also, the owner and manager will provide fair housing training for its employees and send a letter to residents that children do not need to be supervised to use the common areas. [Read the July 23, 2019 HUD press release](#).

HUD Charges Maine Apartment Owner with Discrimination for Denying Assistance Animal to Veteran with Disabilities.

Roderick Apartments, LLC in Clinton, Maine, and one of its agents was charged with discrimination for denying a veteran with disabilities the right to keep his assistance animal. [Read HUD's charge](#). The veteran with disabilities filed a complaint alleging that Roderick Apartments refused to lease an apartment to him because he has a dog as an assistance animal. Tests conducted by Pine Tree Legal Assistance (PTLA), a nonprofit providing free civil and legal assistance to low- income Maine residents, confirmed that Roderick Apartments had a policy of refusing to rent to persons with an assistance animal. [Read the July 11, 2019 HUD press release](#).



CALENDAR

The Maryland Commission on Civil Rights (MCCR) will hold free informative workshops on Sexual Harassment Prevention in the Workplace. The training workshop will focus on sexual harassment laws, prevention, and employer liability; and discuss types of sexual harassment, current statistics, case examples, common workplace scenarios, and best practices to prevent and respond to sexual harassment. This course is ideal

for employers, managers, supervisors, human resource & employee relations staff as well as any employee. All attendees will receive a Certificate of Attendance at the end of the workshop. Workshop instructors include MCCR staff and attorneys. The workshops will be: (1) Friday, September 6, 2019, 9:00 a.m. - 1:00 p.m., Maryland Public Television, 11767 Owings Mills Boulevard, Owings Mills, Maryland 21117, [Register Here](#); and (2) Wednesday, November 13, 2019, 9:00 a.m. - 1:00 p.m., Anne Arundel Community College, 101 College Parkway, Cade Fine Arts Center, Room 215, Arnold, Maryland 21012, [Register Here](#). Contact Director of Education & Outreach Tara Taylor at tara.taylor@maryland.gov or 410-767-6459 for accommodation needs. Space is very limited - register today to save your spot! Once full, any new registrations will be placed on a wait list. One person will not be permitted to register multiple attendees. Please make sure each attendee registers separately online. Check-in begins at 8:30am, and the class begins at 9:00am. Free parking is available at the training locations.

Disability Rights Maryland will hold a 2019 Breaking Barriers Award Gala on September 18, 2019, from 6-8:30 pm at the American Visionary Arts Museum, 800 Key Hwy, Baltimore, MD 21230. The master of ceremonies and award presenter will be Dr. Timothy Shriver, Chairman, Special Olympics International. To purchase a ticket or become a sponsor [please click here](#).



FAIR HOUSING RESOURCES

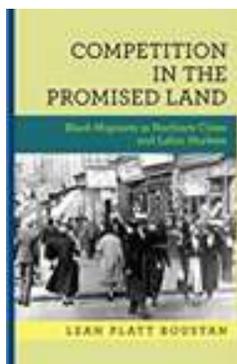


Interested In Fair Housing? Community Development? Insurance? Foreclosure Prevention? Check Out the [GBCHRB's YouTube Channel!](#) You can watch interviews about insurance, discrimination, affordable housing, Fair Housing laws, disability issues, mortgage lending, and related issues. Our radio shows: <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? Good jokes?! Positive or negative, we want to hear from you! We appreciate constructive criticism! Send comments to <mailto:wkladky@gbchr.org>.



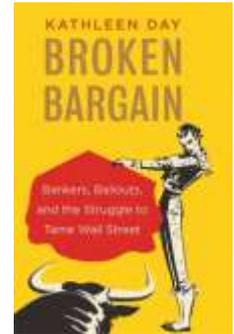
HAVE YOU READ?

Competition in the Promised Land: Black Migrants in Northern Cities and Labor Markets (National Bureau of Economic Research Publications) by Leah Platt Boustan. 216 pages. Princeton University Press, 2016. \$29.95, hardcover. Boustan shows that the Great Black Migration produced winners and losers within the black community. While migrants gained greatly, more than doubling their earnings by moving North, they there competed with existing black workers. This limited black–white wage convergence in Northern labor markets and actually slowed black economic growth. Many white households responded to

the black migration by relocating to the suburbs. "White flight was motivated not only by neighborhood racial change but also by the desire on the part of white residents to avoid participating in the local public services and fiscal obligations of increasingly diverse cities."

***Broken Bargain: Bankers, Bailouts, and the Struggle to Tame Wall Street* by Kathleen Day.** 440 pages. \$35.00 hardcover. Yale University Press, 2019.

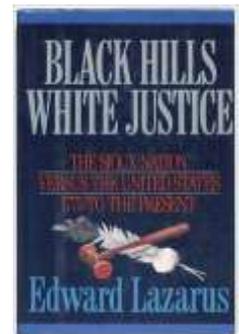
Excellent history of how deregulation of the banks led to three recent US financial crises - the 1920s Depression, the 1980s, and the 2000s. The "bargain" that was broken was that, during the efforts to control the 1930s Depression, US bankers were given what amounts to a safety net in exchange for regulations promoting transparency, record-keeping and anti-fraud behaviors, and reasonable fiduciary responsibilities. Subsequently, the stability of the financial markets and the larger economy were undermined by the gutting and non-enforcement of the rules. The markets fell, the financial institutions sank, and taxpayers got stuck with the bill. For breaking the rules, almost no one was punished - or had learned a lesson - in the financial sector. The book also has suggestions for correction, reform, and enforcement.



REST IN PEACE

Dr. Joel Filártiga, Human Rights Advocate, 86. Filártiga's fight for human rights in Paraguay led to the [Center for Constitutional Rights](#) winning a 1980 US court ruling against foreign governments who torture. The statute on which it is based (1789 Alien Tort Claims Act) has been the source of almost all significant human rights litigation. In 2013, the US Supreme Court limited American jurisdiction to human rights abuses abroad with a significant connection to the US. Dr. Filártiga was jailed and tortured in his lifelong struggle for justice that inspired the 1991 HBO film "One Man's War," starring Anthony Hopkins as the doctor. *Compassion: A Reflection on the Christian Life* (Image Books, 1983) by Henri J. M. Nouwen, Donald P. McNeill and Douglas A. Morrison included a profile on Filártiga, as well as his drawings. [Read the July 23, 2019 New York Times article.](#)

Arthur Lazarus Jr., Civil Rights Lawyer, 92. He was Washington lawyer who represented Native American tribes for over forty years, including winning a landmark \$106 million award for the Sioux Nation in its fight for the Black Hills of South Dakota. His son Edward Lazarus, a lawyer and author, told the history of the Sioux case in *Black Hills / White Justice: The Sioux Nation Versus the United States : 1775 to the Present* (Harpercollins, 1991). Lazarus worked with tribes including the Blackfeet in Montana, the Miccosukee in Florida, the Nez Percé in Idaho, the Oglala Sioux in South Dakota, the San Carlos Apache in Arizona and the Seneca in New York. "He was one of those people who was a friend to the tribes when they really needed friends," said Kevin Gover, director of the Smithsonian's National Museum of the American Indian. [Read the July 31, 2019 Washington Post obituary.](#)



Edward Rutkowski, Baltimore Neighborhood Leader, 72. From his new home, he observed changes in Southeast Baltimore that alarmed him. A 2010 Sun article said he saw "once-solid streets declining, with drug dealers, prostitutes and slumlords taking over as longtime residents fled. Vacant houses were both a cause and an effect. So he and three neighbors

started buying the properties.” He left UPS and concentrated on making Patterson Park more economically stable. In 1996, with the help of volunteers and community representatives, he formed the Patterson Park Community Development Corporation. He later co-wrote a book, “The Urban Transition Zone: A Place Worth a Fight.” His group ultimately rebuilt 400 houses, which contributed to the economic well-being of a larger area. “More important, though, it saved about 5,000 houses worth of Baltimore, and Ed achieved his dream of a vibrant neighborhood that is open to everybody,” Mr. Duff said. After the closing of the St. Elizabeth of Hungary School facing Patterson Park, he founded the Patterson Park Public Charter School and served for 10 years as its executive director. The school is located in the former Catholic school. He later worked with Park Heights Renaissance Inc., a Northwest Baltimore program. [Read the July 22, 2019 Baltimore Sun obituary.](#)



Sterling Tucker, Civil Rights Leader And Politician,

95. In June 1968, Tucker helped coordinate the “National Day of Support” demonstration on the Mall, part of the Poor People’s Campaign against poverty and joblessness organized by the Southern Christian Leadership Conference that was weeks after the assassination of the Rev. Martin Luther King Jr. and the subsequent rioting. “We hope to create not a climate of fear, but a climate of hopefulness,” Tucker said then. “Poverty and violence are about to bring our nation down if we do not stand up now.” While in college, Tucker had been fired from his job busing tables at a fashionable Akron restaurant, the Garden Grille, for

challenging the de facto continued discrimination against African Americans despite Ohio’s public accommodations law. He subsequently worked for the Urban League and was the HUD assistant secretary in charge of fair housing and equal opportunity programs during 1979-1980. Elected to the Washington, DC Council, Tucker in 1974 became chairman of the first popularly elected D.C. Council in over 100 years. [Read the July 17, 2019 Washington Post obituary.](#)
