

# Fairway Trails accused of violating Fair Housing Act

Disabled renter's request to pay later in the month at issue

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Harry Tyus wanted to pay rent later in the month to coincide with his disability checks and to avoid \$50 late fees, but the owner of his apartment complex

rejected his request, then threatened to evict him.

Now, the U.S. Department of Housing and Urban Development is charging the management and owner of the complex, Fairway Trails Apartments in Ypsilanti Township, with violating the U.S. Fair Housing Act and discriminating against Tyus, said department spokeswoman Antoinette Perry-Banks.

The HUD charges were

authorized March 21. They are civil infractions that carry fines up to \$11,000 for a first offense, Perry-Banks said.

HUD will try to reach an agreement with Fairway to reconcile with Tyus, but if that does not succeed, the case could go to a HUD judge or federal court, Perry-Banks said. She declined to comment on

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## RENT FROM B1

### Judge ruled in favor of renter in 2004

any ongoing negotiations with Fairway.

Pam Kisch, executive director of the Fair Housing Center in Ann Arbor, which assisted Tyus, said Tyus has decided to have the case heard in federal court. No date has been set for a hearing.

Phillip Newman, Fairway's attorney, said the company is aware of the charges, but he could not discuss the details of the case because it is pending. "We believe we have a solid defense, and we will respond to the allegations," Newman said.

Tyus, 57, filed his complaint with the Fair Housing Center of Southeastern Michigan in 2004, shortly after moving into the apartment at Fairway Trails. Perry-Banks said Fairway representatives argued that granting such a request to Tyus would result in extending a preference to an individual.

A Washtenaw County district judge subsequently granted Tyus' request to pay rent on the

third Wednesday of the month. Perry-Banks said the court ruled that the request was reasonable and Fairway was not entitled to late fees for the previous two months. But Fairway, unhappy with the ruling, told Tyus it would not renew his lease when it expired in January 2005, Perry-Banks said.

Also when rent was not paid on the first day of the month in July 2004, Fairway filed eviction papers against Tyus, and even though he paid his rent on July 22, the company continued with the eviction, Perry-Banks said.

Tyus, who has since moved to

West Ridge Apartments in Ypsilanti Township, appealed his case to HUD last year.

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