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FHC Expands to Meet Community Needs

The Fair Housing Center of Southeast & Mid Michigan’s staff is growing thanks to new grants from the Michigan State Housing Development Authority (MSHDA), the United Way of Washtenaw County, and the Washtenaw County Office of Community & Economic Development's New Human Services Partnership. With complaints to our office at an all time high, we are grateful to our funders and members for supporting the work to stop illegal housing discrimination.

Marnay Avant joined the FHC in May 2022 as our Intake & Administrative Specialist. She’s the first person you’ll likely speak to if you call the FHC’s main line (877-979-FAIR). Marnay is also a doctoral student and graduate student instructor at the University of Michigan, where she focuses broadly on how housing policies reproduce social inequalities.

Langley Allen began at the FHC in October 2022 as Assistant Coordinator of Investigations. She’s part of the investigations team, working alongside Niki Green and Jessica Ortiz Farley to advocate for complainants and assign tests. Langley is a recent graduate of the University of Notre Dame, where she worked with the Law School’s Exoneration Justice Clinic.

Anna Blanchet is the newest addition to the FHC team. She joined us in March 2023 as our Fundraising & Communications Coordinator. Anna will be working closely with our Associate Director on a variety of fundraising initiatives, special events, and education and outreach programs. Anna is a graduate of Wayne State University with a background in communications and development.

It is understood that in all cases reported in this newsletter, the defendant, unless noted otherwise, denies the allegations of discrimination made by the plaintiff and, in "settled" cases, the parties have agreed to resolve the case without a final determination by a jury or court.



Marnay Avant, Langley Allen, Anna Blanchet

Cases Settled

FHC v. Capital Investments (The Flats)

Blanket Criminal Background Ban Removed

The Fair Housing Center filed a race discrimination lawsuit against Capital Investments, owner of The Flats Apartments in Ypsilanti. Filed on April 23, 2020 by Cooperating Attorney William Piper, the suit alleged a violation of HUD's guidance regarding criminal background and tenancy selection.

The lawsuit said, in part, "**The [HUD] Guidance is not ambiguous; it clearly explains how broad-based criminal background policies that rely on criminal histories cause a disparate impact on people of color**, how automatic blanket bans that categorically exclude applicants as a result of their criminal histories are not necessary to satisfy a legitimate business interest, and that giving individualized consideration to applicants based on factors such as the nature of conviction and evidence of rehabilitation is a less discriminatory alternative that satisfies legitimate interests in protecting safety and property." Filed in Federal Court, the case was assigned to the Honorable Sean F. Cox and settled for \$20,000 and a change in the tenant screening policy.

Court: Federal

Settlement: \$20,000; change in tenant screening policy

Ladiski v. Cavalier Greene

Designated Parking Space Granted

Marsha Ladiski contacted the FHC to report a problem with getting a reserved accessible parking space and proper signage to mark it for her use only. While the case began as a simple request for reasonable accommodation, it went on to include months of stalling on the part of the management company, Woda Cooper, and threats of retaliation from the manager.

According to the lawsuit, filed in Federal Court by FHC Cooperating Attorney Daniel Gwinn on September 14, 2020, after finally receiving her designated parking space, the manager told Ms. Ladiski that they might not renew her lease or that they might have to move her, knowing that no units

were available in the 18-unit complex located in Corunna.

This was the first FHC-aided lawsuit in Shiawassee County. It was assigned to the Honorable Stephanie Dawkins Davis. Ms. Ladiski accepted a monetary settlement and the property manager was fired.



Attorney Daniel Gwinn

Court: Federal

Settlement: non-disclosed

What FHC does! WINS! - by Marsha Ladiski

What they Will Do:

Listen- Give individual attention and advice.
Make sense- In clear, concise understandable terms.
Give a voice- Of help and reasoning, when you feel you have none.
Respect- An essential need of everyone.
Do their job- Make owners/landlords keep their obligations and do so with fairness.

What they Will Not Do:

Advise you of anything that is against what is right and lawful.
Do anything you do not want or agree to.
Step out of respect - they are professionals with integrity.
Do something you are not comfortable with.
Kowtow or Cower- They are not afraid to take on a challenge from business big or small. They don't give in or up without a fight.

Franklin v. Ikens

Alleged Race Discrimination in Livingston County

Franklin v. Ikens was filed on January 15, 2021 by FHC Cooperating Attorney Robin Wagner on behalf of Verdell and Julie Franklin, an interracial couple seeking to buy a lake

case updates

house in Livingston County. The suit claims the couple was denied the right to put an offer on the house because Mr. Franklin is Black.

After viewing the house in Pinckney with a Realtor, the Franklins immediately asked to make an offer. Before the offer was written the Realtor left the meeting. When she returned she told them that unless they made a full-price cash offer it was not worth writing up the offer. Soon after, the property was sold to a white man, who obtained a mortgage to purchase the home for \$300,000, or \$50,000 below the asking price.

The suit, filed in U.S. Federal District Court in the Eastern District of Michigan, was assigned to the Honorable George C. Steeh. Named defendants were realtors Richard M. "Rick" Beaudin and Mary Kay Ikens, and the firms they worked under: The Michigan Group, Inc – Livingston d/b/a RE/MAX Platinum, and Dominick Comer & Associates, Incorporated d/b/a KW Realty Livingston. The terms of the settlement are not disclosed.

Court: Federal

Settlement: non-disclosed

Groth v. Garden Court

Large Financial Penalty Reversed

Pamela Groth contacted the Fair Housing Center in November 2020. Ms. Groth, who lives with a physical disability that has worsened, asked to be let out of her lease without penalty so she could move to an accessible apartment. Garden Court Apartments in Monroe denied her request and insisted that she pay the equivalent of two months' rent to end her lease early. Ms. Groth contacted the FHC and FHC staff wrote a request for reasonable accommodation that was also denied. FHC Cooperating Attorney Daniel Gwinn filed the lawsuit on February 1, 2021 on behalf of Ms. Groth. She accepted a settlement for an undisclosed amount one month later, without having to pay the additional money.

Court: Federal

Settlement: non-disclosed

Grieb v. Bently

"No Children Allowed" Case Resolved

Andrea Grieb contacted the FHC to report that she was denied an apartment in Milan because she had a child. When she responded to an online advertisement, the owner asked Ms. Grieb to describe her family situation. After disclosing that she has a child, the owner responded in part by writing, "I have always been leery of renting either of the upstairs apartments to anyone with children." The owner cited concerns including the stairs and the noise that children make.

Testing supported Ms. Grieb's claim of discrimination based on familial status. The case was filed on May 26, 2021 by Cooperating Attorney Francyne Stacey and assigned to the Honorable Sean F. Cox in the Eastern District Court of Michigan.

Court: Federal

Settlement: non-disclosed



Attorney Francyne Stacey

Anderson v. Yarmain

Familial Status Case Settled

Jennifer Anderson told FHC staff that she was denied the right to rent an apartment in Ann Arbor's Burns Park neighborhood, near her children's school, because she had two children. FHC testing supported her claim of discrimination based on familial status.

Ms. Anderson first asked FHC to contact the agent and try to negotiate a settlement before she took further legal action; the agent and owner refused. Ms. Anderson then filed a complaint with the Michigan Department of Civil Rights.

Still unable to come to an agreement with owner Richard Yarmain and agent Edward B. McIntosh, Ms. Anderson moved to file in Federal District Court in the Eastern District of Michigan. Filed by law students Diane Kee and David Fegley through the University of Michigan Civil Rights Litigation

case updates

Initiative Clinic on September 25, 2020, the case was assigned to the Honorable Paul D. Borman. The students were supervised by Clinic Director Michael J. Steinberg. The lawsuit quickly settled for \$15,000.

Mr. Steinberg has handled a number of FHC cases since 1992 - while in private practice, and later with the ACLU.

Court: Federal

Settlement: \$15,000

Helmreich v. Novak

Lawsuit Filed over Emotional Support Animal

Lisa Helmreich was looking for housing for herself, her husband, and their teenage son. Her son has a disability and requires an emotional support animal (ESA), a small dog. She found out through her husband's co-worker that a unit was coming available at Ottawa Apartments in Iosco County. Rental housing in the area is difficult to find, so Ms. Helmreich immediately went to speak to the manager. After some back and forth, the manager said she could rent the apartment. When it became clear that an ESA would be living with the family, the manager told Helmreich that she should have told her up front that they had a dog and that no dogs were allowed. FHC staff wrote a letter to the manager, at Helmreich's request, explaining fair housing law with regard to ESAs. The manager then gave an alternate reason for denying the family. The case was filed in U.S. Federal District Court on August 20, 2022 by FHC Cooperating Attorney Francyne Stacey and was assigned to the Honorable Terrance Berg.

Court: Federal

Settlement: non-disclosed

Jefferies v. Van Rooy, Huron Ridge

Blanket Ban on Criminal Background Reversed

Demarkus Jefferies contacted the FHC to report being denied an apartment at Huron Heights/Huron Ridge Apartments in Ypsilanti Township. Testing supported the allegation that Mr. Jefferies, a Black man, was denied because he had a felony on his record. HUD guidelines from 2016 prohibit

housing providers from having blanket "no felony" policies. The lawsuit was filed December 28, 2022 in the U.S. Federal District Court in the Eastern District of Michigan by FHC Cooperating Attorney Francyne Stacey. The case was assigned to the Honorable Judith E. Levy.

Court: Federal

Settlement: non-disclosed

Patterson v. The Pines of Cloverlane

New Management Practices Overturned

Deborah Patterson is a woman who uses a wheelchair. Ms. Patterson lived in the same accessible apartment in Pittsfield Township for well over 20 years. As the result of an FHC-aided lawsuit in 1999, a power door and ramp at the end of her hallway were installed, giving her wheelchair access to the outdoors. Fast forward to 2022 and a new management company "temporarily" moved her across the hall to a unit without wheelchair access while they supposedly renovated her unit. A year later she was still living in the inaccessible unit when a seemingly non-disabled person was moved into her original unit. On top of all this the management company stopped taking her Section 8 voucher and dramatically raised her rent. At that point she contacted the FHC and eventually opted for litigation. Cooperating Attorney Robin Wagner filed in U.S. Federal District Court in the Eastern District of Michigan on January 17, 2023. The case was assigned to the Honorable Denise Page Hood.

Court: Federal

Settlement: non-disclosed

Cases Filed

Taylor v. Willows on Twin Ponds

New Familial Status Lawsuit Filed

Aaron Taylor was denied an apartment at Willows on Twin Ponds in Jackson because his family planned to have a boy and girl share a bedroom. After our testing confirmed his claim, FHC staff met with Mr. Taylor to discuss next steps. At the complainant's request, FHC staff contacted the agent to

explain the Fair Housing Act violation. The agent asked the FHC to send Mr. Taylor back the next morning, promising to “work with him.” The next day at 9 am, the same agent again told Mr. Taylor she would not rent to him and his family. He then opted for litigation. FHC Cooperating Attorney Francyne Stacey filed suit on behalf of the family in U.S. Federal District Court in the Eastern District of Michigan. The case is assigned to the Honorable Linda V. Parker. The lawsuit was filed on April 29, 2022.

Black v. Capitol Commons

New Disability Case

Daniel Black contacted the FHC about his apartment in Lansing. He needed a low threshold shower instead of a bathtub to accommodate his disability. After years of requesting the accommodation himself, and months of advocacy by FHC staff, a Cooperating Attorney offered to step in and help with the final negotiations. Still unable to gain the reasonable accommodation, Mr. Black opted for litigation. FHC Cooperating Attorney Robin Wagner filed Black v. Capitol Commons in U.S. Federal District Court on December 2, 2022. The case was assigned to the Honorable Robert J. Jonker in the Western District of Michigan.



Daniel Black poses by the FHC bench ad that alerted him to our services.

Toddler Announcement!

The fair housing movement’s youngest advocate, Jack Henry, was born to parents Jessica Ortiz Farley and Ryan Farley on December 6, 2020. Jack now works alongside his mom as “Assistant to the Director of Investigations,” providing smiles and moral support when she works from home. Congratulations to the expanded family!



FHC Welcomes New Board Member, Diane Rosenblum



Diane Rosenblum joined the FHC Board of Directors in February 2023. She is a retired Teacher Consultant who worked in education for forty years. Diane graduated from the University of Michigan with an M.A. in Education. While living in Seattle, Diane was an Educational Consultant who helped write policies and procedures ensuring

that students with disabilities would receive free and appropriate public education and provided teacher training so that the school districts would be in compliance with the Individuals with Disabilities Act. In Boston, Diane taught high school special education. When Diane and her late husband, Mark Mitshkun (who served as a Board Member of the Fair Housing Center for over 20 years), moved to Ann Arbor in 1989, Diane became a Teacher Consultant at Huron High School where she worked for 20 years. In addition to her direct teaching and counseling duties in special education, Diane was also involved in staff development. She assisted teachers, staff, and students in confronting issues around race, equity, and the achievement gap. Welcome, Diane!

Reasonable Accommodations

The FHC resolved 36 reasonable accommodation and modification requests since the publication of our last newsletter in December 2020. In this newsletter we highlight six cases with novel circumstances. If you'd like a full report of resolved disability cases, please email info@fhcmichigan.org

Housing Choice Voucher Protection

A woman with a mental/emotional disability was issued a Housing Choice (Section 8) Voucher and wanted to use it to stay in the apartment where she had lived for over seven years. The landlord told her she would have to move because they **no longer take new voucher holders**, though they did allow voucher holders who already lived there to stay with their vouchers. We asked the property to take her new voucher as a reasonable accommodation of her disability and included a letter from her doctor. They quickly granted the accommodation and she was able to stay in her home.

Another woman with a Housing Choice Voucher who uses a wheelchair needed to move from her two-story townhouse, as her disability was worsening and she needed a barrier-free unit. Just two apartment complexes in her area had open units that met her needs, but rental rates exceeded the payment standard allowed by HUD and the local housing authority. Research done by FHC staff and a local disability rights organization showed a severe lack of affordable barrier-free housing in the area. **A letter from FHC staff outlining the shortage along with documentation from the complainant's doctor was enough to have HUD agree to pay above 120% of Fair Market Rent as a reasonable accommodation of our complainant's disability.** As a result our complainant was able to move into a new accessible unit.

A third complainant with a disability contacted the FHC after she and her children had been homeless for a month during the summer of 2021, which resulted in her being removed from the kidney transplant list. She became homeless because, after moving from her former landlord's property, the agency that administered her Housing Choice Voucher

failed to perform inspections at multiple properties and did not send the required paperwork to potential landlords - basic requirements to facilitate her move. Our complainant and her family lost several potential homes due to the housing agency's poor service and had to live in a hotel for a month. Once she moved into her new home, the agency routinely charged her incorrectly; some months they were charging her \$450 more than she should have been paying for rent, but she paid the higher portion for fear of losing her voucher.

FHC staff had several meetings with Michigan State Housing Development Authority (MSHDA) employees, including the head of the local Section 8 program. During this time, our complainant and FHC staff went through a detailed analysis of her Section 8 accounting documents and paperwork over the course of several years, illuminating many errors that had been made.

FHC staff requested an internal audit of the agency by MSHDA and asked that our complainant be removed from their services as her Section 8 housing provider. Upon completion of the internal audit of the case, the head of the Section 8 program at MSHDA granted the reasonable accommodation request to transfer our complainant to a different housing agency.

City Zoning Issue Resolved

A teenager who lives with physical and cognitive disabilities and requires a motorized wheelchair lives with her family in the home they own. Her family needed to install a ramp at the front door of the house extending to their driveway, so her mother wrote a letter to the local planning/zoning department to request accommodation. The planning department manager denied her request, informing her that she would have to go through the zoning board of appeals to obtain a variance, that the "city council has no authority," and that there would be no guarantee of approval. Our complainant explained she was not asking for a variance, but for a reasonable accommodation under the Fair Housing Act. The manager still did not offer any resolution, so our complainant stated she would be pursuing other avenues to get the ramp which, according to our complainant, the department manager laughed at. The next step was to go before the zoning board of appeals, so our complainant set

justice for people with disabilities

up the required meeting. At this time she was told she had to contact all residents within 300 feet of their property and issue a notice in the local newspaper to notify residents of their request to install the ramp, in order to give neighbors an opportunity to express their opinion. The complainant then contacted the FHC. We arranged for one of our Cooperating Attorneys to look at the case and attend the meeting with her. Our complainant ultimately won unanimous approval for the ramp, without the need for neighbor approval.

ASL Interpreter Needed

Our complainant was a man who is completely deaf and uses American Sign Language (ASL) as his primary method of communication. He has lived at his subsidized apartment complex for over 18 years. Every year at the time of his Section 8 recertification, he asks the manager for an ASL interpreter, and every year the manager tells him that since he can read the paperwork, he does not need an interpreter. Beyond frustrated, he decided he would not take this treatment any longer and contacted the Fair Housing Center. **FHC staff advised the complainant of his right under the Fair Housing Act to have an ASL interpreter as reasonable accommodation of his disability.** FHC staff then called the corporate office of the apartment complex and left a message for the regional manager. Minutes later, FHC staff received a phone call from the local manager who was very apologetic. The complex agreed to immediately arrange an ASL interpreter for our complainant's recertification paperwork and pay for an interpreter going forward.

No Visitor Parking for Aides

Danielle (Dani) Laurion has a disability that requires care from aides during the day while her husband is at work. Her aides didn't have reliable parking nearby; paid street parking may be available but it is costly and time-limited. Dani and the aides all asked the manager for permission to use her husband's parking space (which is vacant during the day and occupied by her husband's car only after work hours). The manager said **no, stating that if she allowed the aides to park in his space, she'd have to allow everyone to have visitors park in their assigned spaces.** The lack of adequate parking led to difficulty for our complainant in scheduling the home care she required. The aides then contacted the Fair Housing Center.

FHC staff wrote a letter to the manager explaining how the Fair Housing Act states that you must bend the rules for people with disabilities. The apartment complex management suggested that FHC should have asked the local municipality to provide free street parking instead, but ultimately granted the requested accommodation.



Complainant Dani Laurion in forefront, with her husband Doug, aides Nicole R. Boose-Rich and Diana Schlaack.



Complainant Dani Laurion

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Thank you MAIZ Mexican Cantina!

MAIZ Mexican Cantina in Ypsilanti chose the FHC as their "Round Up & Give" beneficiary in January 2022. We thank them for choosing us as the recipient, the 396 patrons who generously rounded up for us, and the matching gift from MAIZ to bring the total donation to \$400.

We invite other businesses to think of us in their monthly giving and, as always, individual donations are what keep us going. Please consider giving at www.fhcmichigan.org/donate



MAIZ Staff Members

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~ Established 1992 ~

far
HOUSING
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