

Fair Housing Center of Southeast & Mid Michigan
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FOR IMMEDIATE RELEASE

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Filed complaint available upon request

**Fair Housing Center Aids in First Source of Income Case
Under State Law: Client Granted Preliminary Injunction Forcing Landlord
to Accept her Section 8 Voucher**

Ann Arbor –

On April 29, 2026, the Washtenaw County Circuit Court, Judge Julia B. Owdziej presiding, granted FHC client Ebony Birton a Preliminary Injunction, holding that her current landlords at South Grove Apartments in Ann Arbor must accept her Housing Choice Voucher (HCV).

In late January 2026, Ebony Birton, who has a disability and uses an HCV, also known as a Section 8 voucher, applied to live at South Grove Apartments in Ann Arbor. She contacted the Fair Housing Center of Southeast & Mid Michigan (FHC) to file a complaint, stating that the agent at South Grove would not accept her voucher.

Ms. Birton told Fair Housing Center staff that the agent at South Grove told her they do not accept HCVs from the agency through which she has her voucher, RPI Management, because South Grove does not sign third-party contracts. They also refused to accept her State Emergency Relief funds to help her cover the security deposit and other move-in costs.

Additionally, Ms. Birton reported to the FHC that she was told she could use a voucher only if it was administered by a different agency that does not use a third-party contract. According to the Director of Enforcement at the Fair Housing Center, Niki Green, all voucher administrators must follow the same requirements under the HAP contract, which are mandated by HUD and managed through the Michigan State Housing Development Authority, so there should be no differences between agencies. Green stated, “Making Ms. Birton jump through unnecessary hoops to stay housed and refusing to accept her voucher violates both the letter and the spirit of the new state law.”

In 2025, Michigan added Source of Income protections under the Michigan Elliott-Larsen Civil Rights Act (ELCRA). According to ELCRA, protected sources of income include benefits or subsidy programs such as housing assistance, Housing Choice Vouchers (formerly known as Section 8 Vouchers), public assistance, veterans' benefits, child support, alimony, Social Security, Supplemental Security Income (SSI), and other programs administered by any federal, state, local, or nonprofit entity.

Fair Housing Center testing supported Ms. Birton's claim of discrimination based on source of income. Ms. Birton was advised of her fair housing rights and chose to work with FHC Cooperating Attorney Robin Wagner of Robin Wagner Law, PLLC.

Wagner filed the lawsuit on March 25, 2026, against South Grove Apartments and Beacon Property Management, alleging a violation of ELCRA. The lawsuit also makes common law contractual claims against the additional respondents, RPI Management, Inc., Michigan Asset Group, and Windsong Townhomes. The case was filed in Washtenaw County Circuit Court and assigned to the Honorable Julie B. Owdziej.

"Landlords and property managers are trying very hard to undermine this new and important civil rights protection that was designed in particular for people who have Section 8 (housing choice) vouchers," said Attorney Robin Wagner. "So, to see these landlords and property managers take the position that the amendment to our state's Elliott-Larsen Civil Rights Act does not give protections and rights to the holders of these vouchers is just absurd."

Wagner filed a preliminary injunction in mid-April seeking to enforce the ELCRA because without it, Burton faced the certain future of falling behind on her rent and then being evicted, all because South Grove refused to accept her voucher. With this relief in place, Birton's housing is secure, and the case will proceed to discovery.

The Fair Housing Center was also a part of the first Source of Income case settled under the City of Ann Arbor's Non-Discrimination Ordinance in 2025, *Morse v. Wilson White*, brought by the Civil Rights Litigation Initiative at the University of Michigan Law School (CRLI).

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The Fair Housing Center of Southeast & Mid Michigan, founded in 1992, actively protects the civil rights of those who are discriminated against in the rental, sale, or financing of housing through investigation, education, advocacy, and legal action. The FHC takes an average of 180 complaints each year from its 10-county service area – Clinton, Eaton, Hillsdale, Ingham, Jackson, Lenawee, Livingston, Monroe, Shiawassee, and Washtenaw.