Fair Housing News

Produced by the Fair Housing Center of West Michigan **Volume II — 2020**

FHCWM Celebrates 40 years!

Established as an official 501(c)3 on September 4, 1980, the Fair Housing Center of West Michigan (FHCWM) turns 40 years old this fall! The FHCWM, originally the Fair Housing Center of Greater Grand Rapids, was formed after a committee of representatives from Grand Rapids Public Schools (GRPS), Grand Rapids Junior College, Southeast End Neighborhood Association, and the Cities of Grand Rapids and Kentwood, met with the Fair Housing Center in Detroit and used $1,500 "seed money" from the Dyer-Ives Foundation to incorporate the FHCWM.

The FHCWM was formed after Grand Rapids experienced a vast amount of "white flight" to the suburbs, like most metropolitan areas in the 1970s; this changed the racial and ethnic composition of many neighborhoods and as a result, the schools as well. GRPS recognized the need to integrate their schools and decided to focus on neighborhood integration as a more

Nancy Haynes, Executive Director (left) & Doretha Ardoin, Board President (right) in 2006 at FHCWM's home, donated by Chase.

sustainable alternative to busing. Formerly located in Eastown, the FHCWM moved into (cont. page 2)...

Fair Housing Groups Reach Settlement Expanding Housing Opportunities for Families with Children

INDIANAPOLIS, IN — The Fair Housing Center of Central Indiana, the Fair Housing Center of West Michigan, the Fair Housing Project of Legal Aid of North Carolina, and the Lexington Fair Housing Council announce a conciliation agreement with Pierce Education Properties to expand fair housing opportunities for families with children. Pierce Education Properties manages a portfolio of 27 student housing complexes, encompassing approximately 5,715 individual units across 18 states. The agreement will open up access for families with children to over 12,830 rentable bedroom units.

"This agreement recognizes that today's college student population is made up of people from all age groups and backgrounds. Over one-third of students attending post-secondary institutions last fall were over the age of 24. Some have spouses and children and others are single parents attending college either full-time or part time," said FHCWM Executive Director, **Nancy Haynes**. "Student housing management companies need to be mindful that their policies and practices do not exclude or place an unfair rent burden on students with children. Student housing should provide equal housing opportunity for all students."

The agreement is the resolution of a fair housing complaint filed with the U.S. Department of Housing (cont. page 2)...

Lakeshore Breakfast Goes Virtual!

The FHCWM is looking forward to hosting our 14th Annual Lakeshore Friends of Fair Housing Breakfast, on Thursday, November 5, 2020. This will be the FHCWM's first virtual event! This event will feature Jim McCarthy (President/CEO of the Miami Valley Fair Housing Center, Inc.) as the keynote speaker. Mr. McCarthy will discuss current fair housing cases and trends, including fair housing concerns in light of the pandemic.

In lieu of having breakfast together, we are pleased to announce that we have partnered with Lemonjello's Coffee, who will donate 20% of their sales from 6:30 am to 12 noon to the FHCWM! Stop by for a delicious treat before joining us online! Check our website for information on this exciting opportunity: *http://www.fhcwm.org/lksbreakfast*.

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Our mission is to prevent and eliminate illegal housing discrimination, ensure equal housing opportunity, and promote inclusive communities through education, outreach, research, advocacy, and enforcement.

...Fair Housing Center Notes & News...

Membership Drive Progress to Date

$7,335 raised **Goal: $15,000**

FHCWM Celebrates 40 years! … (cont. from page 1 column 1) 20 Hall Street SE in 2007, a building which was generously donated by Chase Bank. Additional generous gifts from many local agencies, foundations, and individuals enabled the renovations and relocation to this visible and accessible site. The FHCWM is so thankful for the continuous support of the local community and the consistent commitment to ensuring equal housing opportunity for all in West Michigan. The FHCWM would especially like to thank our long-time partner, the Greater Regional Alliance of REALTORS, who donated $10,000 this year to ensure fair housing services are sustained during these challenging times. The FHCWM truly appreciates your generosity!

This year, to celebrate the FHCWM is organizing a *$40 for 40 More Years* campaign as part of our annual membership drive. Funds raised by membership makes it possible to take complaints, respond to requests for education and training, and conduct vital investigations without being limited by geographical or contractual constraints. Individual members can donate at a $40 level and businesses, corporations, and supporting members can add $40 to their contribution. The annual goal is to raise $15,000. Learn more and join online at www.fhcwm.org/giving.

Fair Housing Groups Reach Settlement … (cont. from page 1 column 2) & Urban Development (HUD) in December 2019 alleging violations of fair housing laws against families with children. The 2019 complaint alleged an ongoing pattern of discrimination through the Respondents' enforcement of a one person per bedroom policy regardless of the size of the bedroom, local occupancy code, or HUD issued guidance. The fair housing groups conducted a joint investigation across several states regarding the Respondents' policies and how they were marketed and maintained. The investigation found that a single student with a child as young as one year old would be required to rent an extra bedroom instead of sharing with his/her child. The investigation also uncovered that a married student couple with a child could not rent a 2-bedroom unit under Respondents' then policies.

HUD did not make a determination as to the validity of the allegations, and Pierce Education Properties denied the allegations and admitted no wrongdoing, but agreed to settle the claims by entering into a Conciliation Agreement with HUD and the private fair housing groups. In order to settle the complaint, Pierce Education Properties agreed to pay $50,000; change their occupancy policy to provide equal housing opportunity to families with children; revise their marketing materials to be inclusive of all students regardless of familial status, age, disability, and other protected classes under fair housing law; and train their employees and managers across the nation on fair housing, among other terms to ensure compliance with fair housing laws. Please visit the FHCWM website for the full release.

The FHCWM will continue to place a priority on removing unlawful barriers to housing choice for families with children, including in student housing. A recent report by the National Fair Housing Alliance found that 11.15% of the filed complaints with HUD involved discrimination against families with children. Finding decent, affordable housing can be extremely challenging for students, and those with children face added barriers in locating housing near campus that will rent to them.

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New & Updated Resources on Assistance Animals!

The FHCWM is pleased to offer a new Resource Guide on Assistance Animals in Housing and a Fact Sheet on Supporting Requests for Assistance Animals (both available in English and Spanish). The FHCWM has also released updated Guidebooks on reasonable accommodations/modifications for Consumers (available in English and Spanish) and Housing Providers. These resources have been updated in accordance with the U.S. Department of Housing and Urban Development (HUD) Office of Fair Housing and Equal Opportunity (FHEO) Notice FHEO-2020-01 from January 28, 2020. The HUD Guidance, sometimes referred to as the "Assistance Animals Notice", includes two sections and is meant to be applied to requests for Assistance Animals received after 1/28/2020; it should not be used to reassess requests granted previously. It establishes a step-by-step process for assessing assistance/support animal requests. Please note that it replaces HUD's prior guidance, FHEO-2013-01, and does not address Section 504 of the Rehabilitation Act of 1973 or the Americans with Disabilities Act (ADA).

The new FHCWM Resource Guide on Assistance Animals summarizes HUD's latest guidance, including an important reminder that an assistance animal is not a pet. There are two types of assistance animals: (1) service animals (limited to dogs), and (2) other trained or untrained animals that do work, perform tasks, provide assistance, and/or provide therapeutic emotional support for individuals with disabilities (referred to by HUD as a "support animal"). It further explains how to process reasonable accommodation requests if the animal is a service or support animal. HUD advises that housing providers should initially follow the analysis that the US Department of Justice has determined and is used for assessing whether an animal is a service animal under the ADA. This would only apply do dogs, according to this guidance. If the animal doesn't not qualify as a service animal, it may be a support animal.

A response to a reasonable accommodation request should start with an evaluation of what information is already known and what additional information may be necessary regarding either the presence of a disability and/or the disability-related need for an assistance animal. Reasonable accommodation requests should be welcomed and well documented by both parties, including information that was disclosed or provided. Housing providers should then work to follow up – consult existing policies, reference fair housing best practices, and keep in communication with the resident or applicant. HUD recommends making determinations promptly, generally within 10 days of receiving documentation. The FHCWM Resource Guide also provides information on supporting documentation, if needed, as well as a sample support letter. It also discusses types of animals, insurance, and other considerations that may need to be considered. The last page includes a customizable sample assistance animal policy for housing providers (Word documents available upon request). This Resource Guide was created for use by anyone seeking information on assistance animals in housing, including housing consumers, people with disabilities, advocates for people with disabilities, landlords, property managers, condominium associations, home owner associations, etc.

The new FHCWM's Fact Sheet for Supporting Requests for Assistance Animals also addresses best practices regarding assistance animals in housing. It provides an overview of RA requests under fair housing law, information on supporting documentation that may be requested of health professionals (which should primarily focus on verification of the presence of a disability as defined by law and/or the disability-related need), and defines assistance animals. According to HUD, housing providers may not require a health care professional to use a specific form, provide notarized statements, make statements under penalty of perjury, or provide detailed information about the requester's impairments. Like the Resource Guide, it provides further information on assistance animals (service and support animals) and a sample support letter.

Visit our website at www.fhcwm.org/disability to download these materials.

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...Fair Housing Center News & Events...

City of Holland Updated Ordinance

The City of Holland has expanded Fair Housing protections to City residents through the passage of an amended anti-discrimination ordinance, adopted on August 19, 2020. The ordinance prohibits discrimination because of age, race, national origin, color, disability, education, familial status, sex, sexual orientation, gender expression, gender identity, height, marital status, religion, source of income, and weight. These protections apply in housing, employment, public services, and public accommodations. The City of Holland ordinance went to effect on September 9, 2020. To view the ordinance in its entirety, please visit http://www.fhcwm.org/laws.

Tester Recruitment

The Fair Housing Center is seeking people to assist in the investigation of housing discrimination ("testing"). "Testers" pose as home seekers in a variety of housing situations. Testers will be paid a per-test stipend with generous mileage reimbursements when applicable. Hours are flexible and attention to detail is a must.

The FHCWM currently needs testers diverse in age, race, disability, ethnicity, etc. **with a special opportunity for seniors age 60+.** If you are interested, please contact Gabe Chapla at (616) 451-2980.

Fair Housing Trainings

The Fair Housing Center offers fair housing trainings, including Fair Housing & Advertising, Fair Housing Training for Rental Professionals and Fair Lending sessions. Costs vary depending on the type of training. Each training is 3 hours and includes a comprehensive packet of reference materials. Due to the current COVID pandemic and for public health and safety, all trainings will be held virtually. Call Liz Keegan at (616) 451-2980 or email contact-us@fhcwm.org to learn more.

Check our website home page for upcoming dates: www.fhcwm.org.

The Fair Housing Center hosts **tester trainings** each month. Testers are volunteers that play the role of a homeseeker and receive a stipend in return for their time and services. In order to accommodate differing schedules, one training will take place during business hours while the other will be held in the evening. For the specific training dates, to register, or any other questions contact Gabe Chapla at (616) 451-2980.

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