



# FAIR HOUSING NEWS

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

## FALL GREETINGS!!!

**Welcome To This Edition Of *Fair Housing News*,  
Produced By The GBCHRB As A Public Service!**

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<http://www.gbchr.org>. **And don't miss Fair Housing  
and Related Videos on the GBCHRB's YouTube**

**Channel - <http://www.youtube.com/user/wkladky1>!** Interviews about insurance problems,  
discrimination, affordable housing, Native Americans in Maryland, disability issues, and more. It's  
easy to listen to a GBCHRB-produced Fair Housing radio show - Go to  
<http://www.gbchr.org/2rad9899.htm> & click on any show, including foreclosure problems, Baltimore  
racial history, Fair Housing laws, disability issues, mortgage lending discrimination, & more.

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## NATIONAL FAIR HOUSING NEWS

### **HUD Releases Moving to Opportunity (MTO) for Fair Housing Demonstration Final Impacts Evaluation.**

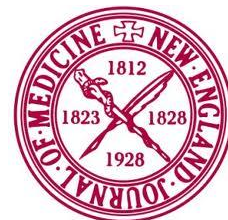
The final report details the findings of a 15-year, experimental study that examined the effects of moving from public housing to neighborhoods with lower poverty rates on adults and children in five U.S. cities, including Baltimore. The research measured outcomes related to mobility,

neighborhood and housing conditions, social networks, mental and physical health, economic self-sufficiency, risky and criminal behavior, and educational attainment. Overall, the study found housing vouchers provide expanded access to neighborhoods where poverty rates are lower and residents feel safer. Women who moved to neighborhoods with poverty rates less than 10 percent (the "experimental group") were less likely to develop diabetes and extreme obesity compared to women in the control group who were not given vouchers to move. More negatively, moving did not result in less reliance on public assistance or improved economic outcomes, nor did it improve educational attainment in children. [Read the November 2, 2011 HUD Report Release.](#)

### **The MTO Study Also Found Moving To Low-Poverty Neighborhoods Lowers Risk Of Obesity And Diabetes For Poor Women.**

Another study of the MTO data reported in the *New England Journal of Medicine* found very-low income women who move from high-poverty neighborhoods into lower poverty areas are significantly less likely to be extremely obese or to have diabetes. The article concludes: "our finding that neighborhood environments are associated with the

prevalence of obesity and diabetes may have implications for understanding trends and disparities in overall health across the United States. The increase in U.S. residential segregation according to



income in recent decades<sup>36</sup> suggests that a larger proportion of the population is being exposed to distressed neighborhood environments. Minorities are also more likely than whites to live in distressed areas. The results of this study, together with those of previous studies documenting the large social costs of obesity and diabetes, raise the possibility that clinical or public health interventions that ameliorate the effects of neighborhood environment on obesity and diabetes could generate substantial social benefits. The mechanisms accounting for these associations remain unclear, but further investigation is warranted to provide guidance in designing neighborhood-level interventions to improve health." [Read the October 20, 2011 NEJM Article.](#)



**FBI Releases 2010 Hate Crime Statistics.** The FBI data indicate that some 6,628 criminal incidents involving 7,699 offenses were reported as a result of bias toward a particular race, religion, sexual orientation, ethnicity/national origin, or physical or mental disability. *Hate Crime Statistics, 2010* is available at [www.fbi.gov/about-us/cjis/ucr/ucr](http://www.fbi.gov/about-us/cjis/ucr/ucr). Some interesting data:

- 47.3% were motivated by a racial bias, 20.0% religious, 19.3% sexual orientation, and 12.8% ethnicity/national origin bias. Bias against a disability was 0.6%.
- There were 4,824 hate crime offenses classified as crimes against persons. Intimidation accounted for 46.2%, simple assaults 34.8%, and aggravated assaults 18.4%. In addition, seven murders were reported as hate crimes.
- There were 2,861 hate crime offenses classified as crimes against property; 81.1% were acts of destruction/damage/vandalism. 18.9% were robbery, burglary, larceny theft, motor vehicle theft, arson, and other offenses.
- Of the 6,008 known offenders, 58.6% were white, 18.4% black, with the others either unreported or other races.

### **Concerning a Craigslist Ad, HUD Charges New York Real Estate Company & Salesperson With Discriminating Against Families With Children.**

Metro Net Realty, LLC, a Queens, NY, real estate agency, and a salesperson were charged with placing advertisements on Craigslist that discriminated against families with children. HUD moved on behalf of the National Fair Housing Alliance (NFHA), saying that the advertisements stating “Looking For: Mature couple or single with no children” were evidence of an effort to exclude children from housing. [Read the October 7, 2011 HUD Press Release.](#)



### **A Substance Abuse Treatment Center Has Filed A Federal Discrimination Lawsuit Against Deerfield Beach Alleging The City Illegally Blocked Its Plans To Expand After Neighbors Complained.**

The suit alleges the city violated the American with Disabilities Act as well as the Fair Housing Act when it denied Deerfield Florida House, Inc., which treats and houses recovering addicts, from adding a medical detoxification center. The detox center was planned for across the highway from the existing Deerfield Florida House campus, which comprises three adjoining properties. “This thing was moving through very smoothly, any concerns that the city had from a staff level were being addressed,” said Scott Backman, attorney for the center. “And as soon as the community started making noise, the elected officials started to listen, and the city started to change the manner in which they dealt with us and our application.” Backman said the city initially treated the center under city code as a single facility undergoing expansion. Later, the city denied the expansion by asserting that it was a separate facility and citing code requirements for a 1,000-foot separation between special residence facilities like the Deerfield Florida House. The Planning and Zoning Board denied the detox center’s plans on July 7, according to the lawsuit filed this month in U.S. District Court in Fort Lauderdale. [Read the November 21, 2011 Miami Herald Article.](#)



## DOJ & HUD ENFORCEMENT

### **HUD Charges Philadelphia Condominium Association With Discriminating Against Residents With Disabilities.**

The association required residents needing assistance animals to use service elevators, failed to address harassment and intimidation. It is illegal to refuse to revise a “no pets” policy as a reasonable accommodation for condominium residents with disabilities who required assistance animals. Apparently, the Philadelphian Owners' Association (POA), which manages the 776-unit [Philadelphian condominium complex](#) at 2401 Pennsylvania Avenue in Philadelphia 19130, required residents to provide extensive medical documentation before requests for accommodation would be considered, greatly limited access to facilities for residents accompanied by assistance animals, and failed to address several instances of harassment of residents requiring assistance animals. [Read the October 18, 2011 HUD Press Release.](#)

### **DOJ Files Fair Housing Lawsuit Against California Municipality for Discriminating Against Families with Children.**

The lawsuit, filed in the U.S. District Court for California's Northern District, says that the city of Santa Rosa and La Esplanada Unit 1 Owners' Association tried to restrict residency at a condominium to seniors over 55. While the Fair Housing Act allows such an exemption, the suit claims neither defendant did the required, necessary steps, such as routine age-verification procedures, to qualify for the exemption consistent with the law. Hence, they unlawfully denied and made housing unavailable to families with children. The lawsuit seeks a court order against future discrimination by the defendants, monetary damages, and a civil penalty. [Read the November 22, 2011 DOJ Press Release.](#)



### **HUD Charges University Of Nebraska At Kearney With Discriminating Against Student With Disabilities.**

The employees refused to grant a student permission to have a therapy dog live in her University-owned apartment and illegally inquired into the nature and severity of the student's disabilities. The student, who needed the dog to cope with depression and anxiety, was seeking an exception to the University's no-pet policy as a disability-related “reasonable accommodation” under the Fair Housing Act. [Read the October 11, 2011 HUD Press Release.](#)

### **Department of Justice Challenges Utah's Immigration Law, Says Several Provisions Interfere with Enforcement of Federal Immigration Law.**

DOJ alleges several provisions of Utah's H.B. 497 are preempted by federal law. The lawsuit comes after several months of discussions with Utah state officials. DOJ holds H.B. 497: "violates the Constitution because it attempts to establish state-specific immigration policy. The law creates and mandates immigration enforcement measures that interfere with the immigration priorities and practices of the federal government in a way which is not cooperative with the primary federal role in this area. The law's mandates on law enforcement could lead to harassment and detention of foreign visitors and legal immigrants who are in the process of having their immigration status reviewed in federal proceedings and whom the federal government has permitted to stay in this country while such proceedings are pending. The federal government has the ultimate authority to enforce federal immigration laws and the Constitution does not permit a patchwork of local immigration policies. A state setting its own immigration policy interferes with the federal government's enforcement efforts. The Justice Department previously challenged S.B. 1070, H.B. 56, and Act No. 69 on federal preemption grounds in Arizona, Alabama and South





Carolina, respectively. The department continues to review immigration-related laws that were passed in Indiana and Georgia." Recently, courts have enjoined key parts of the Arizona, Alabama, Georgia and Indiana state laws and temporarily restrained enforcement of Utah's law. [Read the November 22, 2011 DOJ Press Release.](#)

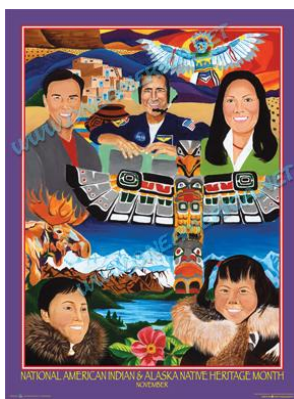


**Justice Department Settles Housing Discrimination Lawsuit in Rolla, Missouri.**

Roger Harris, Hediger Enterprises Inc., Carroll Management Group, Forum Manor Associates L.P. and Forum Manor LLC have agreed to pay \$295,000 in monetary damages and civil penalties for a Fair Housing Act lawsuit of sexual harassment, race and sex discrimination, retaliation and intimidation at Forum Manor Apartments, a federally-subsidized apartment complex. The consent decree, once approved by the court, requires the defendants to pay \$260,000 to thirteen victims and \$35,000 to the United States as a civil penalty. The consent decree also prevents Harris from managing federally-subsidized properties in the future and limits his ability to manage other types of rental properties. [Read the November 21, 2011 DOJ Press Release.](#)

**Justice Department Files Lawsuit Alleging Racial and Familial Status Discrimination in Apartment Complexes in Massillon, Ohio.**

The lawsuit alleges Yorkshire Apartments, Thackeray Ledges and Wales Ridge Apartments in Massillon, Ohio, discriminated on the basis of race and familial status when renting their apartments in violation of the Fair Housing Act. The complaint claims the defendants have denied apartments to African-American prospective tenants, misrepresented the availability of units to African-American prospective tenants, and have treated similarly situated African-American and white tenants and prospective tenants differently at these apartments. The complaint also alleges that the defendants have discriminated against families with children, including denying families with children the opportunity to rent upper-level apartments and restricting families with children to basement-level apartments. The case arose when several former property managers and tenants complained to the Stark County, Ohio, Fair Housing Department that they had been discriminated against, and their complaints were referred to the Ohio Civil Rights Commission (OCRC) for investigation. [Read the November 1, 2011 DOJ Press Release.](#)



**DID YOU KNOW?**

**November is American Indian And Alaska Native Heritage Month.**

"Native American Youth – Our Most Precious Resource," is the national theme of the month. The Federal Government's great web page about the Month - <http://nativeamericanheritagemonth.gov/>. According to the Bureau of Indian Affairs, U.S. Department of the Interior, one of the first advocates of an American Indian Day was Dr. Arthur C. Parker, a Seneca Indian, director of the Museum of Arts and Science in Rochester, N.Y., who persuaded the Boy Scouts of America to have a day for the "First Americans". The first state American Indian Day was declared on the second Saturday in May, 1916 by

New York. Several states celebrate the fourth Friday in September. Some states have Columbus Day as Native American Day. President George H. W. Bush designated November, 1990 "National American Indian Heritage Month." Similar proclamations, under various names (including "Native American Heritage Month" and "National American Indian and Alaska Native Heritage Month") have been declared annually since 1994.

**November 20th is the 13th International Transgender Day of Remembrance.** The day is recognized as the day when we remember trans people who have been victims of homicide.

According to a November, 20, 2011 [Huffington Post article](#):

"The event was started to honor Rita Hester who was murdered on November 28th, 1998. Hester's death launched the "Remembering Our Dead" web project in 1998 and a San Francisco candlelight vigil in 1999. Transgenderdor.org notes that her murder -- like most anti-transgender murder cases -- has yet to be solved. The Trans Murder Monitoring project reports that since 2008, there have been 755 reports of murdered trans people in 51 countries. It should be noted that this number is probably much lower than the actual figure, as it only represents known cases due to issues of language used in reporting the murders (different countries have different terms for being transgender) and due to the fact that not all trans people who are murdered are identified as trans." [Go to the transgenderdor.org website.](#)



## RESOURCES

**You Can Watch on YouTube the National Fair Housing Month Ad for 2011.** Just click on: <http://www.youtube.com/watch?v=WqC3EA-3-mo>.

**More Fair Housing and Related Videos Have Been Added to the GBCHRB's YouTube Channel - <http://www.youtube.com/user/wkladky1>!**

Interviews about insurance problems, discrimination, affordable housing, Native Americans in Maryland, disability issues, and more. Also, it's easy to listen to a GBCHRB-produced Fair Housing radio show - <http://www.gbchr.org/2rad9899.htm> - Just click on any show, including foreclosure problems, Baltimore racial history, Fair Housing laws, disability issues, mortgage lending discrimination, & more.

**The GBCHRB Distributes Free Fair Housing Brochures, Posters, and Guides.** [Contact us](#) for FREE Fair Housing info, brochures, & posters in English, Spanish, Korean, and Russian, as well as one specifically for people with disabilities.

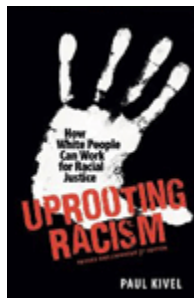


## INTERESTING BOOKS

*Blood Struggle: The Rise of Modern Indian Nations* by Charles F. Wilkinson. New York, NY: W. W. Norton & Company, 2006. 560pp. \$19.95 paper. If you didn't read this one, you should. Wilkinson (*American Indians, Time, and the Law*; etc.), formerly an attorney for the Native American Rights Fund and currently a law professor at the University of Colorado, gives a history of the sovereignty movement, emphasizing the court cases (e.g., Pacific Northwest salmon controversies and the fights over reservation gambling) that expanded tribal rights.

As the Booklist summary relates, the story begins with how the U.S. originally negotiated treaties with tribes, the 1887 General Allotment Act (allowing the Bureau of Indian Affairs to transfer tribal lands to individual tribal members and open any land not allotted to non-Indians), the government ending federal services and protections and pushing tribes on reservations to relocate to cities, to the 1970s self-determination government policy, with reform and BIA stonewalling of requests from tribes to operate their own programs.

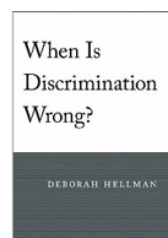
*Disability Hate Crimes: Does Anyone Really Hate Disabled People?* by Mark Sherry. Burlington, VT: Ashgate, 2010. 164pp. \$59.95 cloth. A personalized book about disability hate crimes: the stories, the unique characteristics which distinguish them from other hate crimes, and the policies and practices that should be developed to respond and prevent them. While this informal book covers cases of disability hate crime internationally, its focus is on the UK and the USA.



*Uprooting Racism: How White People Can Work for Racial Justice* by Paul Kivel. New York, NY: New Society Publishers, 2011. 3rd ed. 352pp. \$19.95. provides practical suggestions, tools, examples, and advice on how white people can intervene in interpersonal and organizational situations to work as allies for racial justice. Completely revised and updated, this expanded third edition directly engages the reader through questions, exercises, and suggestions for action, and takes a detailed look at current issues such as affirmative action, immigration, and health care. It also includes a wealth of information about specific cultural groups such as Muslims, people with mixed-heritage, Native Americans, Jews, recent immigrants, Asian

Americans, and Latinos. Kivel (e.g., *Making the Peace: A 15-Session Violence Prevention Curriculum for Young People*) is a social justice activist and a cofounder of the Oakland Men's Project, a community-based violence prevention. [Read Kivel's blog entry here.](#)

*When Is Discrimination Wrong?* by Deborah Hellman. Cambridge, MA: Harvard University Press, 2011. 216pp. \$17.95. paper. As one reviewer says, important and difficult task of trying to establish logically consistent rules for determining just where in that fuzzy territory the line between legitimate and illegitimate discrimination should be drawn. Interesting book. Hellman is Professor of Law at the University of Maryland School of Law.



## REST IN PEACE

**Franklin E. Kameny, Gay Advocate, 86.** Kameny helped found the Mattachine Society of Washington, an early advocacy group, and ran in 1971 for the delegate seat representing the District of Columbia in the House of Representatives. He also claimed authorship of the phrase “Gay is good” a year before the 1969 Stonewall uprising in New York, regarded as the first milestone in the gay rights movement. Many of the internet tributes said that Kameny’s death coincided with National Coming Out Day. Regarding background, Kameny was awarded his doctorate from Harvard in 1956, and then hired as an astronomer by the Army Map Service. Shortly, the government learned he had been arrested by the morals squad in Lafayette Park, near the White House, which was known as a gay cruising ground, and he was fired. At the time, under an executive order signed by President Dwight D. Eisenhower in 1953, “sexual perversion” was grounds for dismissal from government employment. Kameny fought the firing through multiple legal appeals, until the Supreme Court declined to hear his case in 1961. In 1973, the psychiatric association’s board of trustees approved a resolution declaring that homosexuality, “by itself, does not necessarily constitute a psychiatric disorder.” Kameny lived long enough to receive and accept an apology from John Berry, the director of the United States Office of Personnel Management, successor to the Civil Service Commission. Speaking of Kameny, Berry said: “He helped make it possible for countless of patriotic Americans to hold security clearances and high government positions, including me.” [Read the October 12, 2011 New York Times article.](#)