Thirty Years of Fair Housing

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By
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Introduction

The Fair Housing Center of West Michigan has a unique origin, of which its board and staff are rightfully proud (the Center). The Center was started by a grassroots group of active and engaged citizens who were concerned that Grand Rapids, Michigan, and its surrounding neighborhoods were losing the progress and promise of the civil rights movement. Like most metropolitan areas in the 1970’s, Grand Rapids experienced a tremendous amount of “white flight” to the suburbs. As a result, the racial and ethnic composition of many neighborhoods and consequently, the schools, changed. The Grand Rapids Public Schools (GRPS) recognized the need to maintain and even increase integration in their schools. When deciding on a strategy, they concluded that instead of using busing to accomplish this end, which was being tried without much success in other communities, the GRPS would focus on integrating the neighborhoods, thereby integrating the schools. As such, committees were formed to study how best to address the problem of segregated neighborhoods and schools. GRPS sponsored a conference entitled “Improving Education and Human Services in Grand Rapids: A Planning Laboratory” in September 1979. One of the priorities identified during the conference was “to provide adequate housing for everyone.”

A committee was established to gather resources that dealt with housing, including representatives from two cities, the Grand Rapids Community College, and area realtors. As the committee began to gather community resources that dealt with housing, they decided to visit the already well-established Fair Housing Center of Metropolitan Detroit to learn more about providing equal housing opportunity. The committee realized that fair housing was a tool to help them meet their goal of integrating neighborhoods by helping residents exercise their right to choose where they want to live free from illegal discrimination. Therefore, the committee borrowed and adapted the Detroit center’s by-laws and method of operations in order to create a fair housing center in Grand Rapids. The committee brought the model back to Grand Rapids, worked to gather community support, and secured $1,500 of “seed money” from the Dyer-Ives Foundation to open the Fair Housing Center of Greater Grand Rapids. The Center was incorporated on September 4, 1980, with a mission to “support and encourage equal opportunities in the Greater Grand Rapids area.” To obtain this aim, the Center sought to “provide assistance to individuals pursuing legal rights and

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remedies related to fair housing, offer housing assistance and counseling, provide community education, promote community involvement, perform research in the area of housing, and promote good working relations with other housing agencies.”

Throughout its 30-year history, the Center has built upon its grass-roots and community-oriented beginnings to build strong relationships with the housing industry. The Center has also been committed to providing fair housing services in areas that would otherwise go without. In 2005, the Center changed its name to reflect this commitment and a new 11-county service area, becoming the Fair Housing Center of West Michigan. The Center also adopted a new mission: to eliminate practices of housing discrimination and promote open, diverse communities through education and advocacy. The Center subsequently merged with existing all-volunteer fair housing efforts along the lakeshore, and has maintained a strong relationship with a very active and engaged Lakeshore Advisory Board. All of these partnerships resulted in a new home for the Center in 2006. Bank One (now Chase) donated a previous bank branch to the center, and helped the board and staff kick off its first ever capital campaign, “Housing Fair Housing.” The donation of the expanded space came at a critical time for the Center as it was experiencing an ever-increasing demand for fair housing education and services. With the increased capacity allotted by the new space, the Center was able to create a full-time education and outreach position to meet the increasing demands. The new building also enabled the Center to offer training and education on-site in its first-ever classroom.

Outreach

In 2009, the Center provided fair housing education and outreach services to more than 15,000 people throughout western Michigan. These services included three major events hosted by the Center, 33 trainings for community members and housing industry representatives, 15 fair housing book club meetings, and distribution of educational materials in other meetings and events. More than 800 housing industry representatives received in-depth fair housing training, including advertisers, property managers, lenders, and maintenance staff, among others. As a result of these efforts, the center empowered more than 1,200 people throughout western Michigan with knowledge of fair housing rights and laws.

The Center is committed to its partnerships across the region, with an emphasis on providing education on new challenges and opportunities in providing housing and equal housing opportunity. In its seventh year, the Center partnered with the City of Grand Rapids to further fair housing in the community. On April 2, 1987, the City of Grand Rapids Equal Opportunity Department co-sponsored a Fair Housing Workshop with the Center. The event opened with a
welcome from Grand Rapids City Commissioner William Blickley, who noted with obvious pleasure that “Fair housing is on the rise in our community.” More than 70 people attended the day-long event, which included a keynote address by Thomas Higginbothan, Director of the Chicago Regional Office of Fair Housing and Equal Opportunity (FHEO) of the Department of Housing and Urban Development (HUD). His remarks included his enthusiasm for the accomplishments of and future progress of organized efforts such as those demonstrated in the Grand Rapids area. A full-day workshop covered fair housing laws, programs, enforcement, recent court decisions from experts and a mock administrative hearing of a housing discrimination complaint. The workshop was led by Ruth Featherstone, Director of HUD Detroit District Office of FHEO and Attorney Frederick Gruber of the Michigan Department of Civil Rights (MDCR). This event, the Annual Fair Housing Luncheon & Workshop Series, is now about to enter its 24th year, and has become one of the premier fair housing events in the country. Each year, the Board and staff have highlighted relevant and emerging fair housing issues while bringing together national and local experts as well as industry and community people. The 2010 event marked yet another successful year for the Center as more than 375 people came to hear keynote speaker John Trasvina (HUD Assistant Secretary for Fair Housing & Equal Opportunity) discuss Fair Housing in the 21st Century as well as workshops on foreclosure, discriminatory advertising and fair, affordable housing. The Center has also begun to offer other events as well, including a series of popular Fair Housing Book Clubs, an annual Lakeshore Friends of Fair Housing Breakfast and an annual Friends & Members of Fair Housing Luncheon. All of these educational events broaden the net of those engaged in furthering fair housing in west Michigan and beyond.

**Testing**

In its first year of existence, the Center conducted 130 tests at 105 locations, which resulted in the investigation of 21 complaints. In 2009, the Center conducted 386 matched pair tests in more than 20 cities throughout western Michigan. From January to October 2010, the Center conducted 247 matched tests of residential rental properties, of which 204 produced conclusive results. The Center found some evidence of discriminatory practices in 53 percent of the tests (108 out of 204). The Center primarily tested for discrimination on the bases of race and familial status, finding evidence of racial discrimination in 65 out of 120 tests, and finding evidence of familial status discrimination in 27 out of 55 tests. The Center also conducted a smaller sample of tests for discrimination on the bases of age, disability, income source, marital status, national origin, religion, and sex. Notably, the Center found evidence of income source discrimination in seven out of 11 tests.
Enforcement Actions

In 2008 and 2009, the Center’s staff facilitated 168 and 301, respectively, complaints alleging housing discrimination. Of the 301 complaints received in 2009, 170 were based on familial status, 41 on sex, and 28 on race, among others. Since the Center’s inception, race had been the major basis for housing complaints. However, as evidenced by the complaints received in 2009, the Center has seen a marked increase in cases based on the presence of children largely due to discriminatory advertising by landlords, rental agents, and/or homeowners using online resources to market their properties. These advertisements contained statements such as, “only one adult and no children,” “sorry no pets or children,” and “perfect apartment for a single person or a couple,” among many others. The practice of discriminatory advertising online grows increasingly prevalent and represents a major impediment to equal housing choice for the residents of western Michigan. The Center has had to adapt its advocacy, enforcement and education efforts as the housing market and industry has changed significantly as well over the last 30 years.

In 2010, the Center entered into more than 25 settlement agreements that were facilitated by HUD or MDCR. Some of the more noteworthy cases follow.

First, the complainant, a mother of six children, sought to flee an abusive marriage and living situation and inquired about a three-bedroom town home for her family. The complainant was asked how many people were in her family, and she replied that there were seven. The agent immediately stated that they would be unable to rent the 1,669-square-foot town home to the family because they have a strict two person per bedroom policy, and denied her the opportunity to complete an application. The complainant appealed to the manager, who also denied her opportunity to apply. The complainant sought assistance from the Center, and the Center’s subsequent investigation revealed that the town home community enforced a two person per bedroom policy, but it did not reveal any business justification for such policy. The complainant, with the Center’s assistance, filed a complaint, alleging familial status discrimination with HUD. HUD forwarded the complaint to MDCR for investigation. MDCR confirmed that the town home community did not have a business justification for the occupancy policy, and its investigation of local standards and other factors affecting occupancy limitations revealed that seven people could reside within the town home in question. On August 5, 2010, the complainant entered into a settlement agreement facilitated by MDCR to resolve her allegations. The settlement provided for $5,500 in damages for the mother, revision of the occupancy policy to be in compliance with fair housing law, and mandatory fair housing training for all agents of the town home community.
Second, a male of Mexican national origin (the complainant) attempted to obtain a loan modification from GMAC Mortgage. The GMAC representative made a comment to the complainant that if the loan modification did not go through he could return to Mexico and work in the fields picking cabbage. The GMAC representative also referred to the man as a “Mexican jumping bean” on multiple occasions, including in front of several witnesses at a forum held by Michigan’s attorney general. The complainant’s loan modification request was delayed, and subsequently denied. The complainant contacted the Center with an allegation of national origin discrimination, alleging discriminatory statements and discriminatory refusal to modify the loan. The Center assisted the complainant in filing a complaint with HUD, which was forwarded to MDCR for investigation. MDCR confirmed the complainant’s allegations. On August 18, 2010, the complainant entered into a private settlement agreement with GMAC to resolve his allegations, which included $7,000 in damages.

Third, on June 21, 2010, the Center entered into a settlement agreement with a local apartment complex to resolve an allegation of illegal housing discrimination on the basis of race. The Center received an anonymous complaint from a social worker, wherein she alleged that her African-American clients, whom she referred to the apartment complex, received different rental rates and specials than her Caucasian clients that she also referred to the complex. The Center’s testing supported the allegation and revealed differences in treatment on the basis of race, including different rental rates, as well as specials and incentives offered to potential tenants. The Center filed a complaint with HUD that was forwarded to MDCR for investigation. The settlement agreement provided for fair housing training for all staff of the apartment complex; revision of all forms, applications, leases, and marketing to include equal housing opportunity language and/or logos; follow-up compliance testing; and damages in the amount of $8,500 to compensate the Center and to cover the costs of future training and compliance testing required under the agreement.

Finally, on August 31, 2010, the Center entered into a settlement agreement with a local condominium association to resolve allegations of illegal housing discrimination on the basis of familial status. The condominium association bylaws had limited occupancy to three persons within the two-bedroom condominiums. The Center’s testing confirmed the enforcement of this bylaw by the association, and did not reveal any legitimate business justification for the occupancy restriction. The Center’s complaint with HUD, ultimately resulted in an investigation and settlement. The settlement agreement provided for fair housing training of the condominium association’s board, revision of the occupancy policy within the bylaws to be in compliance with fair housing law, and damages in the amount of $1,850.
Foreclosure Prevention

The Center is a member of Foreclosure Response of Kent County, and also provides and office space for Foreclosure Response’s staff person. Foreclosure Response is a non-profit effort that connects residents with a variety of community resources, and advocates for changes to stop foreclosures. Foreclosure Response involves more than forty groups, including non-profit housing and service agencies, neighborhood organizations, foundations, city and county governments, legal aid resources, and banks and real estate professionals throughout Grand Rapids and Kent County. Foreclosure Response seeks to educate and engage the community related to foreclosure issues; mitigate losses to the community caused by high foreclosure rates; coordinate advocacy efforts that include preventing predatory and deceptive lending, and facilitate neighborhood reinvestment.

Conclusion

The theme for the Center’s 2010 Fair Housing Luncheon & Workshop Series was “Removing Barriers & Creating Opportunities: Building on 30 Years of Fair Housing in West Michigan.” It acknowledges that barriers and challenges still exist. However, with 30 years of experience and commitment and thanks to the strong foundation of partners, support and history upon which the Fair Housing Center of West Michigan is built, the Center is poised to effectively address those challenges working with the region to eliminate practices of housing discrimination and to promote diverse, open communities through education and advocacy.