

FAIR HOUSING NEWS

Newsletter of the Fair Housing Center of Metropolitan Detroit

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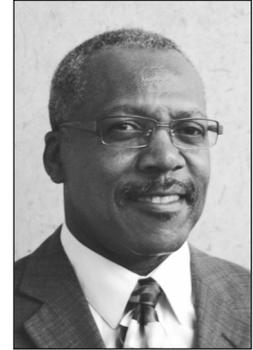
September, 2010



Doretha Ardoin



Vernon Shadd



Lawrence Walls

FAIR HOUSING LEADERSHIP AWARDS RECEPTION SCHEDULED FOR SEPTEMBER 21, 2010

The Fair Housing Center of Metropolitan Detroit's (FHCMD) **13th Annual Fair Housing Leadership Awards Reception** will be held on Tuesday evening, September 21, 2010 at the Renaissance Club, on the 36th Floor of the 200 Tower of the Renaissance Center in downtown Detroit. As in previous years, the Reception will begin at 5:00 PM with some very tasty hors d'oeuvres, followed by the presentation of the awards at 6:00. The Reception will be concluded by 7:00 PM. Individual tickets for the Reception, at \$50/ticket including complimentary valet parking, are available from the FHCMD office (313-963-1274).

Being honored this year with **Fair Housing Leadership Awards** are: Village Green, a Michigan based housing development and management company; Vernon Shadd, Asset Manager and Fair Housing Compliance Officer with the Michigan State Housing Development Authority; and Doretha Ardoin, a Realtor and Sales Agent with RE/MAX Sun Quest. The Marvin Thomas Service Award will be presented to Lawrence Walls, a former FHCMD tester and a retired Detroit Public School math teacher.

With over 35,000 apartments in 14 states in its multi-family portfolio, Village Green is one of the largest rental management companies in the United States. Its 90+ year history has included a strong commitment to fair housing, prompting the FHCMD to select Village Green for a Fair Housing Leadership Award.

Since 1993, Village Green has required employees to participate in fair housing training program, involving a monthly training for new employees (approximately 150/year or, since 1993, over 2,000 employees) conducted by FHCMD. Some of those employees have moved on to other rental management companies and have reported to FHCMD that the fair housing training provided by Village Green has helped them and their new companies respect and follow fair housing laws. Former Village Green employees, Terry B. Schwartz and Anthony T. Tanksley served on the FHCMD Board of Directors, and current Village Green Vice President of Internal Auditing, Operations and IT Services, Mirriam Livingstone has been a very active FHCMD Board member since 2001. Upon being notified of Village Green's selection for a Fair Housing Leadership Award, Village Green Chairperson and Chief Executive Officer, Johnathan Holtzman stated: "Village Green considers discrimination morally wrong. Indi-

viduals should respect others and recognize that this respect creates a satisfied, happy customer. Our business practice is to provide housing opportunities for everyone and apply management decisions fairly and consistently."

For over sixteen years Vernon Shadd has worked for the Michigan State Housing Development Authority, with a variety of job titles and responsibilities (Asset Manager, Transaction Specialist, etc.) and for many of those years, Fair Housing Compliance Officer. Prior to working with MSHDA Mr. Shadd worked as an Investigator with the Michigan Department of Civil Rights, was a research analyst for the Michigan Speaker of the House and served as an employment specialist handling discrimination claims for a local law firm. In his fair housing work with MSHDA Mr. Shadd interacted with FHCMD and the other Michigan Fair Housing Centers, helping to arrange and monitor fair housing education training and testing programs, providing valuable information and insight for the State's 1998 and 2008 "Analysis of Impediments to Fair Housing Choice", and helping to resolve complaints of unlawful housing discrimination involving MSHDA assisted housing projects. Mr. Shadd has helped to make housing more equally available for thousands of low and moderate income families in Michigan, prompting FHCMD to select him for a **Fair Housing Leadership Award**.

Doretha Ardoin is a realtor and real estate trainer from Grand Rapids, she has been a longtime Board member and is currently the Chairperson of the Board of Directors for the Fair Housing Center of West Michigan. She has also been, since she obtained her real estate sales license in 1978, a strong advocate for fair housing within the industry. Ms. Ardoin, along with previous FHCMD Fair Housing Leadership Award Recipients, Dr. E'toile Libbett, Deborah Taylor and Marta Saint-James, were the courageous and often lonely voices and trainers for fair housing in the sales industry in Michigan.

Despite having encountered discrimination in nearly every imaginable situation, Ms. Ardoin approaches her work with a remarkable lack of bitterness and a depth of understanding about equal treatment in the housing market. She has been instrumental in broadening the local real estate industry to include African-Americans, Hispanic

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FHCMD CASE UPDATES

The Fair Housing Center of Metropolitan Detroit (FHCMD) extends its thanks and appreciation to the plaintiffs, testers, witnesses and attorneys who have assisted the cause of fair housing by participating in the following litigations. 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. Some of the tests and investigations conducted by FHCMD were paid for with funds made available from the U.S. Department of Housing and Urban Development.

NEW CASE

Brown, McConnell and Gaines v Quicken Loans, Inc.

The last issue of the **Fair Housing News** (Vol. 32 #2, June, 2010) noted the filing of a lawsuit against a locally based mortgage lender, **Moss v Quicken Loans, Inc.** The case was filed in Federal Court for the Eastern District of Michigan before Hon. Avern Cohn. Representing the plaintiff, Moses Moss, in this still pending matter is FHCMD Cooperating Attorney Steve Tomkowiak. Attorney Tomkowiak has now informed FHCMD that he has filed an additional racial discrimination lawsuit against Quicken Loans on behalf of plaintiffs, Santosha Brown, Robert A. McConnel, Alvercheal Mcconnel and Titus Gaines. Their Federal case has been assigned to Hon. John Corbett O'Meara also in the Eastern District of Michigan.

Each of the plaintiffs in the newly filed complaint is an African American person, and each plaintiff charges that they were denied financing by Quicken Loans because of their race. The complaint alleges that each of the plaintiffs met the qualifications for a loan but were denied, while at the same time, less qualified white applicants were approved for comparable loans by Quicken Loans. The complaint alleges that each of the plaintiffs has excellent credit with credit scores in excess of 700, the loan-to-value and debt-to-income ratios for each plaintiff were acceptable - their applications were denied because of race.

FHCMD mortgage investigator James Stevenson has provided assistance in identifying, interviewing and qualifying the plaintiffs for participation in what has become a multi-plaintiff action against Quicken Loans. It may be that FHCMD and/or Attorney Tomkowiak will hear from or be able to identify additional persons who believe that Quicken Loans has discriminated against them because of their race. Mr. Stevenson can be contacted at the FHCMD office (313) 963-1274.

Photos From 2010 U.S. HUD Conference

Courtesy of Stella Adams



John Trasvina



Joel Armstrong

U.S. DEPARTMENT OF HUD 2010 NATIONAL FAIR HOUSING POLICY CONFERENCE SETS A SERIOUS TONE FOR FAIR HOUSING

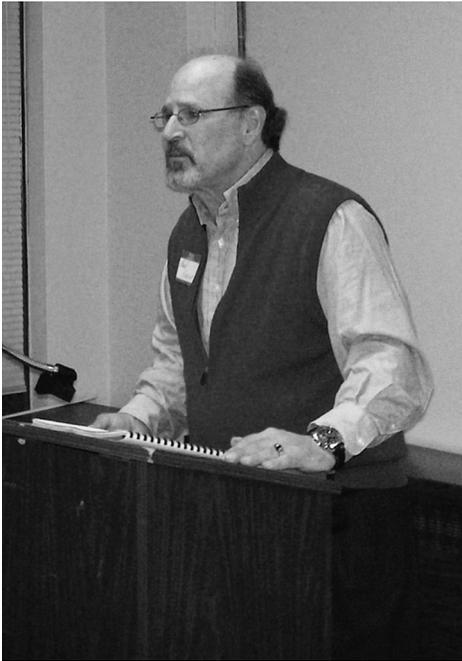
Speaker after speaker at the U.S. Department of Housing and Urban Development's (HUD) 2010 National Fair Housing Policy Conference made it clear that the Federal government, through HUD, the Department of Justice (DOJ) and other Federal agencies that deal with housing issues, is increasing its attention to compliance with fair housing laws and toward steps to "affirmatively further fair housing". Top Federal officials including Ron Sims, HUD Deputy Secretary; John Trasviña, Assistant Secretary for Fair Housing; and Thomas Perez, Assistant Attorney General in the Civil Rights Division of DOJ all confirmed during HUD's 4 day Policy Conference (July 20 - 23, 2010) the Federal commitment to assuring fair and equal housing throughout the United States .

Workshops during the Conference included some still controversial issues, like: Discriminatory Internet Advertising; Fair Housing and the LGBT (Lesbian, Gay, Bi-Sexual and Transgender) Community; Incorporating Affirmatively Furthering Fair Housing Activities at the Local Level; Reasonable Accommodations and Reasonable Modifications for Persons with Disabilities; What Is The Price of Segregation; Discrimination in Loan Modification Programs. Both the plenary sessions and the break-out workshops allowed plenty of time for questions from the over 800 representatives of public and private fair housing agencies and organizations that attended the sessions. FHCMD Executive Director, Cliff Schrupp, represented FHCMD at the conference.

Among the items for discussion and debate was the issue of funding priority for actions to strengthen, build and in some cases, rehabilitate low income, predominantly African American or Hispanic American communities versus increasing funding and efforts to assist/encourage low income persons of color to move to locations where there may be greater opportunities for jobs, better education or safer neighborhoods. Deputy Secretary Ron Sims expressed one side of the issue when he stated: "You don't have to talk about moving to opportunity, bring opportunity to the communities." Other speakers noted the serious social problems in low income, high minority communities and emphasized actions to move low income people to more affluent communities. HUD and the Federal government's position has been, and is likely to continue to be, one of doing both: working to improve lower income communities and attempting to make sure that low income persons have the opportunity to find housing in more affluent communities.

Assistant Secretary Trasviña introduced an area of concern that has not been mentioned in previous HUD conferences: compliance with Federal requirements (Section 3) to utilize local workers in any federally assisted construction projects. HUD has funded many construction projects throughout the country, but has done little to enforce Section 3 requirements. Assistant Secretary Trasviña stated that situation will change and HUD will monitor Section 3 compliance.

Currently, HUD is working on clarification of the meaning and use of "disparate impact" evidence in housing discrimination cases, and is developing additional guidance for assuring that gay, lesbian, bi-sexual and transgender persons have equal access to HUD programs. It was clear that improving the level of communication and cooperation between HUD, DOJ, State and local fair housing agencies and private, non-profit housing groups is going to receive greater attention by the government agencies. All welcome news for fair housing and fair housing advocates throughout the country.



FHCMD CHAIRPERSON NOEL J. SALEH ANNOUNCES THE FHCMD THIRTY-FOURTH ANNUAL MEETING FOR OCTOBER 27, 2010

This announcement by Board Chairperson Noel J. Saleh serves as the official notice of the Annual Meeting of the Fair Housing Center of Metropolitan Detroit. The meeting will be held on Wednesday, October 27, 2010 in the 10th Floor Conference Room adjacent to the FHCMD office in the Michigan Building at 220 Bagley in downtown Detroit. Unless the Detroit Tigers baseball team gets extremely lucky, advances to the World Series and has a home game in Detroit on October 27, free parking will be available in the Michigan Building parking lot for those persons wishing to attend the Annual Meeting. The Annual Meeting will begin with light refreshments at 5:30 PM, with the Business Meeting scheduled to begin at 6:15 and be concluded by 7:00 PM. There is no charge to attend the annual meeting. The meeting is open to all, voting on matters of official business is limited to members of FHCMD.

General membership non-profit organizations, like FHCMD, are required by State law to hold an Annual Meeting for the purpose of reporting to the membership and electing persons to serve on the Board of Directors of FHCMD. There will be at least five positions to fill on the FHCMD Board of Directors. The Membership Committee, chaired by Board member Terry Ward, will present Nominations for Board membership at the Annual Meeting.

The Membership Committee welcomes suggestions, nominations, or volunteers to be considered for nominations for the five three-year positions on the Board. Persons or organizations that have made membership contributions during the past year (since October 1, 2009) are eligible to vote at the Annual Meeting. If you are not sure of your membership status, please contact Darlene Taylor, Tim Davis or Cliff Schrupp at the FHC office (313-963-1274) and an answer will be forthcoming.

The Annual Meetings have provided an opportunity for FHCMD members to reflect on past activities and make suggestions to the FHCMD Board and staff concerning future activities. Suggestions for agenda items for the Annual Meeting are welcome and can be made directly to FHCMD Board Chairperson, Attorney Noel J. Saleh at 313-967-0200.

NATIONAL RECOVERY IN ASSISTED LAWSUITS REACHES OVER \$380,000,000

Since 1990 state and federally filed housing discrimination lawsuits that have been assisted by over 100 organizational members of the National Fair Housing Alliance have resulted in the payment of over \$380,000,000 in damages between 1990 and 2009 by the defendants in 2,351 closed lawsuits with disclosed financial recovery. Another 367 lawsuits were closed with "non-disclosed" provisions, making a total recovery in excess of \$400,000,000 very probable. At the end of 2009 there were 195 "open" cases, awaiting additional proceedings in state or federal courts.

Those numbers and many other statistics and information about housing discrimination lawsuits are available in the 2010 edition of the FHCMD compiled national litigation log. Information for the log was provided by over 100 members of the National Fair Housing Alliance. The FHCMD delivered copies of the 141 page report to the National Fair Housing Alliance (NFHA) at the organization's Annual Meeting on July 19, 2010. NFHA Board Chairperson, Jim McCarthy, who is also the President and CEO of the Miami Valley (Ohio) Fair Housing Center, extended special thanks to FHCMD, and especially to FHCMD Legal Services Coordinator, Michael Olshan, for compiling the 20 year history of NFHA group assisted lawsuits.

The 2010 edition of the national litigation log includes general information from 1990 through 2009, and case specific information from 2000 - 2009. The report notes the steady increase in the percentage of disability discrimination lawsuits: from 13.1% of all cases from 1990 - 1999 to 32.1% of all cases between 2000 and 2009. Of particular significance is the fact that in the twenty year period (1990 - 2009) there were over 3,000 housing discrimination lawsuits filed. That number means that many housing providers, not just the large rental management and sales firms, have been defendants in these cases - an important issue because acts of unlawful housing discrimination occur by the millions of individuals who may own or rent one property, on up to the largest of housing providers.

Since 1990 there have been over 2,500 lawsuits involving rental transactions, over 200 involving home sales/purchase transactions, with nearly 100 involving mortgage financing. The remainder included housing discrimination cases against units of government, housing condominiums and housing cooperatives. Most of the metropolitan areas of 200,000 or more population and 37 of the 50 states in the U.S. have the benefit of services from a private, non-profit fair housing group. Most of those private non-profit groups are able to refer housing discrimination complainants to private practice attorneys who are in a position to assist in filing the complaints administratively or directly in state or federal courts. The direct court option, in addition or as an alternative to administrative action through a government agency, remains a very important part of the case resolution process. What is clear is that the struggle for equal housing opportunities is far from over, but successful lawsuits that produce significant financial penalties against housing providers do help to improve the fair housing behavior of housing providers.



Fair Housing Center of Metropolitan Detroit

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FAIR HOUSING LEADERSHIP AWARDS

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and female agents and is the recipient of numerous awards, including the Realtor of the Year Award. The FHCMD will be honored to present to Ms. Ardoin a **Fair Housing Leadership Award** on September 21, 2010.

Since the death of Marvin Thomas in 2004, the FHCMD has also presented the **Marvin Thomas Service Award** to former FHCMD testers who provided valuable service to fair housing and the FHCMD as fair housing testers while working closely with Mr. Thomas, who was the FHCMD Coordinator of Testing and Investigations from 1980 - 2004. This year the **Marvin Thomas Service Award** will be presented to Mr.

Lawrence Walls, who taught some of FHCMD's current volunteers while teaching for the Detroit Public Schools, and conducted hundreds of fair housing tests for FHCMD. The evidence that he gathered from those tests helped to resolve many housing discrimination cases without litigation, but was also very critical evidence in at least five FHCMD assisted lawsuits. Mr. Walls was a very reliable and objective tester whose testimony in depositions and trials was accurate and truthful. Mr. Thomas was always pleased to be able to assign a test to Mr. Walls, and would be pleased to see Lawrence Walls recognized with a Marvin Thomas Service Award.

The Fair Housing Leadership Awards Receptions have been assisted through sponsorships from a variety of organizations and groups at the following sponsorship levels:

Gold Sponsor:	\$5,000	Bronze Sponsor:	\$1,000
Silver Sponsor:	\$2,500	Patron:	\$500

With MANY THANKS from FHCMD, the following groups have agreed to be sponsors of the 13th Annual Fair Housing Leadership Awards Reception:

Caise and Associates - Bronze	Michigan Association of Realtors - Bronze
Comerica Bank - Bronze	Michigan State Housing Development Authority - Bronze
Flagstar Bank - Gold	New Detroit, Inc. - Patron
Fourmidable - Patron	Presbyterian Villages of Michigan - Patron
Green Hill Apartments - Patron	Real Estate One - Patron
The Habitat Company - Bronze	River Bend Apartments - Patron
Independent Management Services - Bronze	Unified Management Services - Bronze
Lautrec, LTD - Silver	Village Green - Bronze
L R Management Services Group - Patron	Wood Kull Herschfus Obee & Kull - Bronze