HOME Continues Fight in Client’s Memory  
By Alyssa Bergsten

When Henry Mitchell (name changed to protect client’s privacy) contacted HOME in the summer of 2010, he was not aware that he was reporting an incident of housing discrimination. According to Fair Housing Attorney Jennifer Metzger Kimura, who handled the case, “he called and was just looking for help. He didn’t know it was discrimination, but he knew the treatment that he and the other residents received was wrong”. After reaching out to several other organizations without success, Mr. Mitchell explained to Ms. Kimura about several mobility-related issues he was experiencing at the senior citizen housing complex in Western New York where he resided. Neither realized at the time that this initial interaction would grow into a genuine bond between attorney and client, or that HOME would still be advocating for change on Mr. Mitchell’s behalf after his passing in the fall of 2013.

The first indication of a pattern of discrimination against the mobility impaired at Mr. Mitchell’s housing complex came when his physical condition necessitated his use of a scooter and a walker to get around. The complex manager explained that Mr. Mitchell would have to submit to a test so that his driving skills could be deemed suitable, along with increasing his liability insurance and signing a lease addendum putting restrictions on the use of the scooter, all at the insistence of the property manager. Ms. Kimura remembers fondly the property manager about the potential problems this caused for residents, he was shocked to hear the manager’s callous response: “I guess they will have to wear depends”.

Mr. Mitchell was determined to find a fair resolution for all of the residents in face of such insensitivity on the part of the management. Throughout the course of HOME’s investigation, Ms. Kimura remembers fondly the client’s willingness to provide information and his conscientiousness in calling to check in on the progress in the case. In order to get a better sense of the set up in the dining area, Ms. Kimura joined the client for dinner one evening at the complex. She learned of his work as a minister and his passion for cooking; Mr. Mitchell even provided lessons for his friends at the complex. As they worked together to assemble the details of the case, Ms. Kimura was impressed at
From the Director:
THE CASE FOR PERSISTENCE

By Scott W. Gehl

A discrimination case—begun and won years ago—seems finally headed to the point where HOME’s client will receive more than symbolic justice for the wrong done to her.

Stephanie was a young single mom in 2008, staying with her grandfather while searching for an apartment for herself and her four-year-old son. She found an on-line ad for apartments on Greenfield Street near Main in Buffalo. While the location was ideal and housing affordable, the ad made clear that someone like Stephanie would not be welcome.

Stephanie called HOME, which gathered evidence from the website, a voice-mail message, and by sending three separate investigators to test the availability of the housing. HOME’s investigation yielded evidence of discrimination due to familial status, age and disability. HOME made a federal (and state) case of it—filing with HUD and then the NYS Division of Human Rights.

After conducting its own investigation, the Division of Human Rights found there was probable cause to believe that discrimination had occurred. In April 2010 a state Administrative Law Judge found that respondent William B. Johnson had discriminated. In February 2011 the ALJ’s decision was ratified by a commissioner’s final order; Mr. Johnson was ordered to pay a total of $29,781 in damages and fines to Stephanie, HOME and the State of New York.

But Mr. Johnson chose not to pay—instead filing appeals with NYS Supreme Court, the Appellate Division and then with the Court of Appeals. Although he lost at every level, Mr. Johnson still refused to comply. In December 2013 the state obtained a judgment, but still nothing happened.

At the invitation of Regional Director Tasha Moore, in October I had the opportunity to meet the Division’s new commissioner, Helen Diana Foster. Afterwards I wrote to Commissioner Foster asking for her help in bringing this respondent to justice.

On November 10th the Division’s Office of General Counsel issued a subpoena and restraining order to 14 financial institutions freezing any assets of the respondent. Accrued interest had raised the respondent’s financial obligation to $37,931. In a lengthy voicemail message left by the respondent on the 17th, it was apparent that the restraining order had found its mark.

We are hopeful that Stephanie and her son will receive their damages very soon.

Death in the family

Elsewhere in this issue, Alyssa Bergsten has written eloquently of the passing of an extraordinary HOMER, Margaret Davis Brown.

Margaret was a member of the HOME family from 1988 (when she came to work in our offices at 1490 Jefferson) until the day she died. Under various titles (secretary, administrative assistant, office manager, volunteer extraordinaire) Margaret had a great deal to do with what HOME became and is today.

On the Sunday of her passing, I looked around our offices and saw Margaret’s hand in so many things: the chairs we sit in, the architectural finishes of the reception desk (her seat of power—from which she ran the place), to the order and sometimes disorder of our supply room. In fact that day I stopped to put things in order—knowing Margaret would disapprove of the way things were.

Margaret was a good and caring friend to many HOMERS, present and past. She has left her mark and created an example of dedication and courage for all who knew her.

Ready for HOME’s e-newsletter?

Take a short survey & sign up at www.homeny.org!
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52ND Annual Meeting & Dinner Celebration

Thursday, April 23, 2015
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The Greenhouse Room @ the Hotel Lafayette
391 Washington Street, Buffalo, NY 14203

Open Bar, Dinner, Live Auction, Basket Raffles and so much more!

Formal Invitation to Follow

For more information or to become involved call Samantha Long at 716-854-1400, ext. 17

HOME Board Chair Diana Cooke discusses strategy with guests at HOME’s October bowling event.

HOME Board member Melissa Cavagnaro with her daughter Mary Sullivan

HOME’s Mobility Counselor Jade Lewis presents to clients of the Community Housing Center in the Art Butler Board Room
Introducing... HOME’s new Director of Development & Administration

Samantha Long

How are things going so far at HOME?

Things are going very well, hectic so far, but I love it here. My main focus has been on the annual dinner and donor-centered communication. I’m working on trying to expand our methods of communication with members and clients.

What made you interested in working here?

I have always been drawn to the work of civil rights organizations and non-profits in general. I’m aware of and appreciate the positive impact of local non-profits in Western New York.

What work did you do before joining HOME’s team?

Before HOME, I worked at the Olmstead Center for Sight in a few different positions. I also worked for a local non-profit media company whose mission is to inspire young Muslims to utilize media to promote a positive image of Islam. While I was at Canisius College working on my Masters of Communication (concentrating in non-profit management), I also worked with several local organizations including the Homeless Alliance of WNY.

What aspects of development do you most enjoy?

Everything comes back to the individuals that we serve. I enjoy being the one responsible for sharing our clients’ compelling stories with the world and helping communicate our mission and achievements through these stories.

What other groups of organizations do you belong to?

I am currently a member of the Association of Fundraising Professionals (AFP), Toastmasters, a public speaking club, and have recently joined the board of the New Life Residential Center. New Life is a halfway house for adult women experiencing problems related to substance abuse. They are able to live in the home for a three month period, receive counseling, and use the group environment to help overcome issues relating to substance abuse.

Do you have any unusual interests or hobbies?

I have a pet ferret named Mungo, which is a popular Scottish nickname. Ferrets have a reputation for hoarding, and I deal with that just about every day. He especially likes small articles of clothing. Every time I want to do laundry, I have to go around my house moving furniture and recovering stolen socks before I can start.

Evans Bank Accused of Lending Discrimination by NYS Attorney General

By Patrick Collins

This past September saw both Buffalo and fair housing on the national radar. On September 2, New York State Attorney General, Eric T. Schneiderman, brought charges of lending discrimination against locally-based Evans Bank, with The New York Times, The Huffington Post, and Reuters all taking note.

In a 31 page complaint available on the attorney general’s website (http://www.ag.ny.gov/), Evans Bank is accused of practicing “redlining” in the city of Buffalo—in other words, demarcating a portion of the city as a no-lending zone, in this case systematically denying mortgage credit to the city’s predominately African-American east side. The complaint charges Evans with being in violation of federal, state, and municipal fair housing law.

One of the most striking pieces of evidence obtained in the investigation is what Evans’ calls its “Trade Area” map, a map showing Buffalo and the surrounding metro area, most of which is outlined in red marker. The area inside the contours of the outline is labeled as the “assessment area”, basically meaning that all the places inside the lines are places where the bank will consider lending. The majority of the east side of Buffalo and the adjacent neighborhoods of Cheektowaga do not fall within these lines; they are not included in this assessment area.

The Attorney General does not see this exclusion of the east side from mortgage credit as something neutral, or something that can be explained by financial considerations alone. At a press conference, Mr. Schneiderman said the Trade Area map constituted evidence of an almost textbook case of redlining.

Evans Bank categorically denies these charges, with President and CEO David J. Nasca asserting in a statement given back in September that, “...the allegations being made by the New York State attorney general are unfounded and without substance, and we will vigorously defend this complaint through the legal system”. Evans is, Mr. Nasca asserts, “confident that our residential lending practices meet all applicable laws and regulations.”

No major developments have been reported since the federal complaint was filed. As is well known in the fair housing community, the processing of complaints is often a slow moving affair, and it will likely be some time before this case sees a resolution.

But, whatever the ultimate outcome of this case, whatever the result of the future legal proceedings, the developments so far can be seen as good news for fair housing. Firstly, this story was covered by major national media outlets, reaching millions of readers, bringing housing discrimination (in this case lending discrimination) to their attention. Secondly, this case demonstrates that the New York State Attorney General investing significant resources to enforce fair housing law.

Education and outreach are a crucial part of the fight to further fair housing: since the early 90s HUD has dedicated a substantial portion of their FHIP grants for those purposes with the Education Outreach Initiative and HOME has for years employed a full-time Education Specialist. Anytime a national media outlet like the New York Times brings fair housing into the national spotlight, it helps to further this goal.

Patrick is a HOME volunteer who will be starting at the University of Buffalo in January to pursue his Masters in Political Science.
Remembering “Sheriff” Margaret Brown

By Alyssa Bergsten

Since the beginning of her career at Housing Opportunities Made Equal in the late 1980’s, our affectionately titled “Sheriff” Margaret Brown established herself as a fixture within the office and in the lives of HOME’s clients, staff and volunteers. A tireless and pragmatic worker, and a kind, effective leader, Margaret was someone who managed whatever challenge presented itself with intelligence and humor. As many HOMERS can likely attest, she could speak volumes to a room with just a well-timed glance. She knew the ins and outs of the organization, and along with commanding the respect and admiration of her coworkers, Margaret could always be relied upon for assistance, whether that meant helping clients, resolving technical issues, or organizing an annual dinner.

Margaret’s dedication to HOME’s mission, and compassion for HOME’s clients, will be remembered by many for a long time to come. She provided a crucial service to those struggling with housing discrimination or other sensitive issues: a compassionate, objective, knowledgeable, and resourceful starting point for serving the clients’ needs. Over the years, countless clients returned to HOME not only for the services provided, but also to catch up with Margaret. Always comfortable in her own skin, Margaret’s calm and confident demeanor helped put at ease whoever contacted HOME’s offices. Regardless of the challenge presented, she maintained a humble yet hopeful outlook that inspired those around her.

Although Margaret was forced by illness to retire twice during her time at the agency, HOMERS were not surprised at the loyalty (or boundless energy) that motivated her to return to work or volunteer at HOME on both occasions. While active in her church and community and a dedicated wife, mother, and grandmother, Margaret incredibly still made time to devote countless hours to HOME. After having been intimately involved with HOME’s hugely successful 50th Anniversary Dinner, Margaret stayed on after her final retirement in December of 2013 as one of the primary volunteers on the planning committee for the 51st annual event. Though she was unable to attend due to illness, Margaret’s contributions were recognized that night when she received the Williams-Brown award for outstanding professional service, renamed in her honor.

Some of Margaret’s proudest accomplishments in her time at HOME were her contributions to the new offices at 1542 Main St. Having overseen the move of HOME’s offices from 1490 Jefferson to 700 Main Street, Margaret was more than up for the task. Looking around HOME’s offices today, we attribute much of its organization, layout, and aesthetic appeal to Margaret. While her attention to detail during the design and construction of the building remain as a physical reminder of all she contributed to HOME, it will be her smile, her strength of character and her commitment to service that we remember when we think of Margaret Brown. Then, true to her example, we will do our best to pick ourselves up and “keep it moving”.

After Ferguson, A Movement

(Continued from Page 1)

Garner by agents of government serves as a representation of the historical persecution of minorities in the U.S. In the words of longtime HOME member Elizabeth G. Clark, “discrimination is so hurtful that it leads to the kind of anger we saw around Ferguson—it’s not a bullet in the back, but it hurts all the same”.

While we struggle with the immense task of comprehending our collective history, this country’s next focus becomes how to react peacefully but effectively to create the changes necessary so that all citizens are able to enjoy the rights protected under the Constitution. At HOME, this means continuing our daily work for the people of Western New York: advocating for victims of discrimination, educating the public as to their rights under the law, and creating housing opportunities. While HOME has had many successes, the legacy of segregation and the resistance to fair housing enforcement have guaranteed that discrimination in housing remains a major obstacle to opportunity for African Americans and other minorities in WNY as well as around the country.

This challenge, however, must not deter us from our mission. Since 1963, Housing Opportunities Made Equal and its supporters have worked to promote the value of diversity and ensure people an equal opportunity to the homes and communities of their choice. Continued adversity is evidence of the ongoing need for HOME, but it is our past triumphs and desire for justice that keeps us believing that our “small group of thoughtful committed citizens” will change the world. We need your help in pursuing this goal—please consider what you can do to support HOME.
HOME receives funding through federal, local grants

By DeAnna Eason

US Department of Housing and Urban Development: Fair Housing Initiative Program (FHIP)

The US Department of Housing and Urban Development (HUD) recently awarded HOME $975,000 to continue its enforcement of the Fair Housing Act through education, outreach, and investigations of alleged acts of discrimination.

The grant, to be disbursed over a three-year period, was funded through HUD’s highly competitive Fair Housing Initiative Program (FHIP). Over $38.3 million was awarded to more than 100 fair housing organizations and not-for-profits with the goal of addressing housing discrimination. With this award, HOME will continue enforcement work and education in Erie, Niagara, Orleans, Genesee, Wyoming, Cattaraugus and Chautauqua Counties of Western New York.

FHIP funds will be used to conduct intake interviews of over 1,200 persons with housing issues, record and investigate more than 350 allegations of housing discrimination, lead more than 300 testing investigations, conciliate cases of discrimination, monitor settlement agreements, monitor zoning changes, establish partnerships with WNY agencies to promote fair housing, and conduct speaking engagements with the government and housing industry to discuss fair housing as well as several other housing related activities.

In addition, this federal grant will support HOME’s work of mobility counseling and the enforcement of source of income protection in the city of Buffalo and the towns of West Seneca and Hamburg. HOME is contracted to provide 162 mobility clients with information regarding communities in areas of opportunity, issue 120 security deposit assistance payments to qualified mobility clients and to enroll clients in a case management program to help move families into self-sufficiency.

The Josephine Goodyear Foundation

For the second consecutive year HOME was the recipient of an award from the Josephine Goodyear Foundation, a division of the Community Foundation for Greater Buffalo. With the mission of assisting not-for-profit agencies in assisting women and children experiencing financial difficulties, the Goodyear Foundation funds about 50 grants in the Buffalo area per year.

After receiving $5,000 from the Foundation last year, HOME was awarded a $10,000 grant last month to assist the funding of the Community Housing Center. Designated to provide new Section 8 voucher holders with the information, resources and financial assistance necessary to move to areas of opportunity, the CHC funds will continue to provide crucial services assisting women, children and others with their housing needs throughout Western New York.

The Community Housing Center, Inc. would like to give special thanks to...