“EVERYONE WINS!”—HOME’S 49th ANNIVERSARY CELEBRATION

By Shannon M. Koehn

Everyone wins in a diverse community—a community free from discrimination and hate of any kind. Everyone wins in a community where people interact across racial, gender, religious, age and economic lines. Everyone wins in a community that thrives together and promotes collective responsibility. Everyone wins when we encourage understanding, increase opportunity, and promote diversity.

For the past 49 years, HOME has championed the effort to create stronger, more diverse communities—where everyone wins! Our work has been sustained by our dedicated member and community support. So, what better way to celebrate, than together?

Please join us in the Grand Ballroom at the Buffalo-Niagara Convention Center in downtown Buffalo, as we celebrate HOME’s 49th Anniversary on Wednesday, March 28th. The celebration will commence at 5pm with a brand new format—food stations and cocktails along with a new fundraising opportunity where “Everyone Wins!” For just $20 you can purchase a home shaped ornament which will be coordinated with your mystery prize. Every ornament wins!

Prizes continue to be secured, and we are still accepting donations. To date, you will have the opportunity to win various electronics, admission tickets to enjoy theatrical experiences, restaurant gift certificates and a host of other fun, and practical prizes!

The program, emceed by HOME members Melissa Cavagnaro, Esq. and Collin Gehl, will feature exciting news on HOME’s new home at Main and Ferry, as well as scholarship and award presentations. And, back by popular demand, is our live auction featuring HOME’s traditional Taste of Buffalo restaurant package, and local Theater package, along with some new and exciting Live Auction packages, including the opportunity to fund-a-family!

There are still so many ways for you to get involved in this exciting event: purchase an ad in our souvenir journal; become a sponsor of the event and your company’s logo will be prominently displayed; donate gift cards or items to be used in our fundraising opportunities; buy a table or a ticket, or sign up to volunteer for the event.

Visit www.homeny.org for more information or contact Shannon M. Koehn at 716.854.1400 ext. 17 or skoehn@homeny.org.

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THEREAS’S STORY

By DeAnna Eason

Like everyone, Tereasa’s life had had its share of struggles; financial issues, relationship challenges, health concerns. All par for the course, right? But what she didn’t expect was the housing situation that disrupted every aspect of her life.

Tereasa, a 32 year old single mother of three, grew up in Lewiston, NY. After moving to Niagara Falls from 2009-2010 (because she couldn’t find an apartment in Lewiston), her family told her of an available unit on Kenwood Drive in Lewiston. Thrilled with her good fortune, Tereasa met with the landlord and moved into the unit in June of 2010. Not long after moving in, Tereasa noticed that she was constantly receiving pointless phone calls from her landlord, or that he would stop by the apartment several times a week unannounced (either to walk his dog or to sit in her driveway for minutes at a time). Shortly thereafter, according to Tereasa, this strange behavior escalated into her landlord asking her for sexual favors in exchange for reduced rent or cash.

Although Tereasa constantly told him that she was not interested in a relationship with him other than the landlord-tenant type, he was undeterred. He would invite Tereasa (Continued on Page 3)
From the Director:
THE OTHER LOTTERY
By Scott W. Gehl

Although Yolanda Vega was nowhere to be seen, there was definite excitement on January 11, the day of the lottery for apartments at Oxford Commons.

For more than two months, HOME had conducted an affirmative fair housing marketing campaign designed to attract a diverse pool of applicants for the new affordable housing complex. Well over 250 people called the HOME offices to request brochures and application forms. By the close of business on January 10, 97 households had submitted their applications for one of the ten units.

Friend of HOME and Common Council Majority Leader Demone Smith, who with Councilmember Michael LoCurto had wielded a shovel at the groundbreaking ceremony, did the honors. All 97 names were drawn to establish the order in which applications will be reviewed.

Thanks to funds for the Main-Ferry Project granted by the State of New York, the City of Buffalo, and the Federal Home Loan Bank (through M&T and First Niagara Banks), rents at Oxford Commons will be very affordable: only $395 per month for one-bedroom units and $450 for two-bedrooms (plus utilities).

In order to be eligible for tenancy, applicants must meet minimum income criteria of $14,760 (annually) for a one-bedroom and $16,956 for a two-bedroom unit—figures calculated so that families will have to pay no more than 40 percent of their monthly incomes for rent and utilities. Additionally, annual income of applicants cannot exceed 50 percent of the Buffalo-Niagara region’s median (which range from $22,900 for a one-person household to $32,650 for a family of four).

In addition to falling within these income intervals, tenants of Oxford Commons will have to meet rigorous tenant selection standards adopted by the Main-Ferry Housing Development Fund Company. Using a model first developed by George Hezel and Denis Woods, HOME has literally written the book on landlord-tenant relations, A Guide to Landlords’ Rights. Supporters and critics alike will be interested to see how HOME’s hands-on experience as a landlord will affect this book’s upcoming Fifth Edition.

Cardboard and Chaos

In the last days of HOME’s 23-year tenancy at 700 Main Street, our shabbily professional motif has given way to one of cardboard and chaos. Several HOMERS are working through the Presidents Day weekend as file cabinets are emptied and repainted, contents boxed and labeled, and furniture marked with room numbers with relevance only in the new Home for HOME.

Meanwhile a bit more than a mile and a half to the north Don Buckley and Tom Knapp keep the staff of Lamparelli Construction Company focused on completion of a long list of loose ends—which must be tied up before HOME’s arrival on February 23. Then after a second long weekend of work, HOME will be open for business at 1542 Main Street on Monday, February 27.

That day — just 12 months after Shannon Koehn and I stood atop snow mounds on a frigid February morning photographing Demolition Day, but more than five years after the journey to Main-Ferry was begun—will mark the beginning of a new era in this history of this storied civil rights organization.

It will be a new and better day.
over to his home when his wife was out of town, and even suggested taking her to his son's office for sex.

These sexual advances began to take a toll on Tereasa's physical and emotional health. Fed up with her landlord's behavior, and realizing that she didn't have to endure the harassment; Tereasa decided she needed to regain control of her life by taking control of the situation. Tereasa set up a video camera in her apartment before meeting with her landlord. The camera recorded him asking Tereasa how much of a "gift" she would accept for performing oral sex. After once again telling him she was not interested in this type of relationship, Tereasa's landlord asked her what her time was worth, and then he invited her to lay down on the floor with him, presumably for sex. Tereasa rejected his advances yet again and he soon left the apartment.

Nearly a week later, the landlord returned to the apartment. At that time, Tereasa states he touched her inappropriately on the leg, and asked her to "name [her] price" telling her she would not have to worry about money. Obviously upset and violated, Tereasa filed criminal charges and a restraining order against him, and soon moved her family out of the house.

With nowhere to go, Tereasa was relegated to bouncing from the homes of family member to family member, in order to keep a shelter over her family's head. She had to pull her children from their Lewiston schools and registered them for school in Niagara Falls, and later in Lockport. Tereasa's health was also in jeopardy, and she increasingly found herself in her doctor's office.

Totally fed up, and at the bottom of her rope, Tereasa contacted HOME regarding the sexual harassment she was experiencing at the hands of her landlord. After being informed that sexual harassment in housing constitutes sex discrimination and is federally protected under the Fair Housing Act, Tereasa filed a discrimination case. HOME's investigation gathered additional evidence for the case, and then joined Tereasa in filing a complaint with the New York State Division of Human Rights (DHR) where the case received a probable cause determination. After months of intense settlement discussion between Tereasa, HOME, DHR and the former landlord the case reached a five figure settlement before trial.

After living a nightmare, Tereasa never imagined this dream could have such a happy ending. As a result of the settlement, she is now able to purchase her own home, and will never have to endure this type of discrimination at the hands of a landlord again. According to staff attorney Jennifer Metzger Kimura who worked closely with Tereasa during this case, the thing that Tereasa was most excited about was that she was finally able to provide stability for her family.

If you or someone you know believes that you are experiencing sexual harassment or any other type of discrimination in your housing situation, please call HOME at 716-854-1400, and ask to speak with a fair housing specialist. Just as a reminder, all calls are kept confidential and no action will be pursued without your signed consent.
WHEN EDUCATION IS NOT ENOUGH

By Jenna Metzger Kimura

Education is a central part of HOME’s mission, and this includes educating various landlords and management groups so that acts of discrimination in housing can be prevented. Generally, filing a case on behalf of HOME or a client is the last resort because HOME tries to advocate by resolving many of the issues outside of court – however, that is not always possible.

In addition to investigating discrimination allegations from our clients, HOME monitors area periodicals and websites for housing applications and advertisements which might be in violation of federal and state fair housing law. HOME recently came across a rental application on Kissling Interests, LLC’s (Kissling) website. The application contained inquiries regarding the prospective tenants’ dates of birth, and relationship. In an attempt to try to resolve these issues on the application, HOME sent out a letter merely requesting the removal of these inquiries. Unfortunately, Kissling refused to change its application and stated that it would not do so unless “[its] attorney or the Court system deems these concerns as a violation or discriminatory issue…”

According to New York State Executive Law § 296.5(a)(3), it is unlawful “To print or circulate … any form of application for the purchase, rental or lease of such housing accommodation or to make any record or inquiry in connection with the prospective purchase, rental or lease …which expresses, directly or indirectly, any limitation, specification or discrimination as to race, creed, color, national origin, sexual orientation, military status, sex, age, disability, marital status, or familial status…”

This means that it is not permissible for a housing provider, landlord, and/or manager to use an application that asks a prospective renter to disclose his/her date of birth because age is a protected class. Furthermore, an application cannot ask what a prospective renter’s relationship to the other occupants is, because that requires disclosure of family status, and possibly marital status.

After Kissling’s refusal to simply edit their application, HOME filed a complaint against the management company with the New York State Division of Human Rights, citing the above Executive Law. Kissling attempted to justify its actions, but the NYSDHR found that Probable Cause did exist that Kissling had engaged, or is engaging in, unlawful discriminatory practices.

A resolution to this case has been agreed upon but has not been finalized.