

# INSIGHT

Western New York's Source for Fair Housing News

VOLUME 42 NO. 4 HOUSING OPPORTUNITIES MADE EQUAL 700 Main Street Buffalo NY 14202 WINTER 2005

## But Where Will the Children Play?

By M. DeAnna Eason

Luxury 2 bedroom Victorian, updated kitchen and bathroom, appliances, laundry, off street parking. Secure building with intercom...

Sounds perfect doesn't it? Vicki Wilson\* thought it was a dream come true. Wilson, a single mother of two, found this ad in a local newspaper during the winter of 2001. She called to schedule an appointment to see the property and when the owner found out it was for her and her two small children, she was immediately told that the apartment was "unsuitable" for her family because there was no yard.

Ms. Wilson told the owner that the yard was not her primary concern and the owner went on to ask her where she was currently living. When Ms. Wilson told the owner that she was staying with her mother, he told Ms. Wilson that he would not be able to show her the apartment without a landlord reference. Ms. Wilson attempted to ex-

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## \$20,000 Settlement in Case Against Publisher

"It pays to advertise" is one of the tenets of a successful business. However, when the ads discriminate, just the opposite can be true. So learned the publishers of the *Renters' Guide*, who recently paid \$20,000 to settle allegations that they had an ongoing practice of publishing discriminatory advertising.

The settlement concluded an effort begun by HOME in 1999 to prevent discriminatory advertising from being published by the *Renters' Guide*.

Advertising for the sale or rental of housing which shows a "preference, limitation or discrimination" due

to race, color, national origin, religion, age, sex, marital status, military status, disability, sexual orientation, or the presence of children in a family is a violation of fair housing law. The alleged violations first came to HOME's attention in 1999, when an anonymous home seeker reported advertising on the *Renters' Guide* website which appeared to discriminate on the basis of age, marital status, familial status, and lawful source of income.

HOME contacted the Publisher, Bill Burton, advised him of fair housing laws governing advertisements, and asked that the *Guide* both refrain from fur-

ther discriminatory advertisements and print a statement of non-discrimination. HOME also invited Mr. Burton to join more than 40 Western New York newspapers in the Publishers' Voluntary Agreement to End Discriminatory Advertising.

Although the *Renters' Guide* chose not to respond to the invitation, since the statement of non-discrimination was published and no further discriminatory language was observed, the case was considered resolved. However, in 2002, discriminatory language in the *Renters' Guide* was reported again. Ongoing monitoring revealed that

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## A Step in the Wrong Direction

A settlement was recently reached in a discrimination lawsuit brought against the owner of Millicent Town Homes for an alleged refusal to rent to a widowed grandmother because of her disability. Paul Miller has set-

tled past complaints of housing discrimination including a previous allegation of discrimination on the basis of disability at the Millicent Town Homes. Mr. Miller, who has received fair housing training as a result of those settlements, will

be required attend further training and pay \$5,000 to resolve this most recent case.

HOME's client, Yvonne Thomas, had recently received a voucher through the

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## From the Director: THE LONG ROAD BACK

By Scott W. Gehl

Friends of fair housing received some long overdue good news when Senators Charles Schumer and Hillary Rodham Clinton announced that the Department of Housing and Urban Development had selected Housing Opportunities Made Equal for funding under the highly competitive Fair Housing Initiatives Program. For HOME – which has been plagued by a series of budgetary blows played in ironic counter-point to programmatic success and legal victories – this federal funding award represented the first step on the long road to fiscal recovery.

The Fair Housing Initiatives Program was created by Congress in 1988 to support the work of private fair housing agencies, which have historically borne a major burden in enforcing fair housing laws. HOME was funded in the very first round of FHIP and, since 1990, has consistently been among the highest performers in the nation – repeatedly meeting or surpassing contract goals. But exemplary performance has proven no guarantee of renewed funding. Although successful in eight of ten multi-year submissions, on each of the two occasions in which HOME has not been funded the impact was devastating.

### Restoring capacity

Effective January 1, 2006 HOME will begin an 18-month contract under FHIP's Private Enforcement Initiative. The \$218,930 funding award will permit HOME to reinstitute accessibility testing and systemic

testing of larger housing providers, to hire and train a new class of professional testers, and to fully investigate reported incidents of discrimination.

HOME will also enter into collaborations with two faith-based housing providers and Hispanics United of Buffalo in an effort to more effectively serve the Spanish-speaking community. Lastly, HOME will produce new bilingual educational materials and undertake special efforts to provide needed services to homeless and very low income populations.

The maddeningly intricate and voluminous application consumed more than 125 hours of staff time. I want to thank Andrea Mujahid-Moore, Shannon Koehn and Anne Huiner who joined me in this consuming endeavor.

I also want to credit the Western New York Congressional delegation: Representatives Louise Slaughter, Brian Higgins and the especially influential Tom Reynolds as well as Senators Clinton and Schumer. All came together because of a shared belief

in the importance of equal opportunity to our region and in HOME's reputation for excellence.

As always, HOME will itself prove worthy of their support.

### Staff changes

Effective November 7, Senior Counselor M. DeAnna Eason (a five-year veteran of both the mobility and fair housing units) moved into the demanding position of investigations coordinator. Her new position will be critical to HOME's success with the new FHIP contract. Associate Director Andrea Mujahid-Moore and I have great confidence in DeAnna's abilities.

Meanwhile, the newly vacant senior counselor position has been taken on an interim basis by Lisa M. Cruz. Lisa, who served very capably as the Community Housing Center's bilingual mobility counselor from 2000-03, is a welcome addition to our staff.

I suppose Lisa's return proves you can come HOME again.

## HOME Launches Corporate Campaign

"A stronger HOME makes a stronger community" is the theme of this year's efforts to increase corporate support for HOME. Under the capable leadership of Development Chair Stephen Karnath, the Development Committee expects to increase last year's totals by 25%. Each year, the campaign serves to both solicit financial support and to educate hundreds of area businesses about the services that HOME provides to the community.

Aside from the satisfaction of knowing you are supporting the only agency in Western New York to provide comprehensive services to victims of housing discrimination, there are many other benefits to becoming a corporate member. To learn more, contact Shannon Koehn at 854-1400 or visit us at [www.homeny.org](http://www.homeny.org)

## 20,000 Case

(Continued from page 1)

nearly one-fifth of the ads published over a multiple-month period contained language that appeared to violate fair housing law. Accordingly, HOME filed a case with both DHR and the U.S. Department of Housing and Urban Development alleging discrimination on the basis of age, marital status, and familial status.

One month later, DHR resolved the complaint with a conciliation agreement in which the publisher: agreed to print a notice of non-discrimination, print six fair housing ads, send two staff members to a fair housing training, and pay \$3,500. HOME agreed that in 60 days, the agency would resume monitoring ads.

Renewed monitoring re-

vealed more discriminatory ads. Therefore, in December of that year, HOME filed a complaint of non-compliance with DHR. Dan Kohane of Hurwitz and Fine PC represented HOME.

After filing the case, HOME learned that the publication had been sold. Because Mr. Burton remained interim publisher and the terms of the conciliation agreement were revealed at the time of the sale, the new owner also was bound by the terms of the agreement.

The new case resulted in an agreement to send advertising staff to fair housing training, abide by the terms of the 2003 conciliation agreement, and pay \$20,000.

## CHILDREN

(Continued from page 1)

plain that she moved out of her apartment because of lead paint and other health and safety issues. The owner repeated that he would not show her the apartment because she did not have a landlord reference.

After Ms. Wilson was denied the opportunity to view the apartment, she called HOME and explained the situation to a Fair Housing Specialist. HOME investigated, ascertained the landlord's name, and found evidence that corroborated Ms. Wilson's claim of discrimination.

With HOME's assistance, Ms. Wilson filed a complaint against Joseph P. Suppa with the State Division of Human Rights (DHR) alleging discrimination on the basis of familial status. After a preliminary investigation, DHR found that there was "probable cause" to believe that he had engaged in the discriminatory acts as stated by Ms. Wilson.

Denying any wrongdoing, Mr. Suppa declined the public hearing and elected to have the matter heard in State Supreme Court. At a preliminary hearing before Supreme Court Justice Patrick H. NeMoyer the case was settled for \$2,000 and an agreement to never illegally deny an apartment from anyone again based on their familial status or discriminate against anyone in terms, conditions, or privileges of the rental of any housing accommodation.

\*Names have been changed

## INSIGHT

Insight is published through the generous support of contributors to HOME

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### Contributors

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Kenneth J. Gholston,

Shannon M. Koehn, and Anne Huiner,

Editor.

# SAVE THE DATE!!!

**Tuesday, April 11, 2006**

**Buffalo Convention Center**

**HOME's Annual Meeting  
and Dinner: "HOME—The  
New Face of Civil Rights"**

**Join Housing Opportunities  
Made Equal, Inc. as we cele-  
brate 43 years of fair housing  
services to the Buffalo-Niagara  
Region. (Ticket prices TBA.)**

**To find out about advertising  
opportunities at this event, or  
the many other ways to support  
HOME, visit our website at  
[www.homeny.org](http://www.homeny.org) or contact  
Shannon M. Koehn  
directly at 716.854.1400.**

## A Perfect Day for a Parade

By Shannon M. Koehn

On Saturday, September 10, nearly twenty HOME staffers, board members and volunteers gathered in front of City Hall to march in the Puerto Rican Day Parade. Proudly carrying the HOME banner and blue and white balloons they marched the two miles down Niagara Street to Porter Avenue and into LaSalle Park where the celebration continued well into the afternoon.

It was HOME's first time participating in the Parade. Blue skies, 75 degree weather, smiling faces, Latin beats and the aroma of Spanish cuisine filled the air

making the 3<sup>rd</sup> Annual Puerto Rican Day parade quite a memorable event.

While HOME has long provided services to the Latino/a community, the parade provided a venue to expand our reach and increase our visibility. It was an opportunity to empower many more people by educating them about their fair housing rights. The day was also a fun-filled networking experience to say the least.

HOME's elementary school volunteers (relatives of HOME staff and volunteers) stretched their little legs going

from one side of the street to the other distributing bilingual messages of HOME's Free/Gratis services. Over 2000 red, white and blue palm cards, colored to match the American and Puerto Rican flags, were given out that day inviting the community to use HOME's advocacy, educational and mobility services.

Although it was HOME's first time participating in the parade, it is sure not to be our last. Consider joining us next year as we march in the 4<sup>th</sup> annual Puerto Rican Day Parade!

### WRONG STEP

(Continued from page 1)

Section 8 Rental Assistance Program. After years on the waiting list, she was looking forward to being able to move herself and her grandson out of public housing and into a "nice apartment in a quiet nice neighborhood."

Although Ms. Thomas had suffered a stroke in 1988 that left her with some difficulty with mobility, she did not feel that she needed an accessible apartment. She saw an ad for what she thought would be an ideal place for her family and went to view the two-story townhouse at Millicent Town Homes accompanied by a housing counselor from HOME's Greater Buffalo Community Housing Center (CHC). After she completed an application, owner Paul Miller showed her one of the units. He observed that she was

having difficulty with the stairs and according to Ms. Thomas, remarked to her housing counselor that he could not rent to Ms. Thomas because of her disability. He expressed a concern that because she might injure herself, his lawyer would never approve.

Ms. Thomas said she was shocked that he would say such a thing. "He didn't even say it to me," she said. "He said it in front of me to someone else." HOME received a second, similar allegation against Mr. Miller a month later and filed complaints of disability discrimination in the name of both clients and the agency.

After failing to reach a settle-

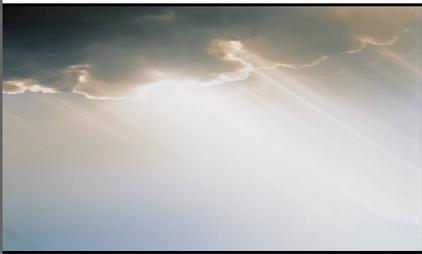
ment during negotiations, Miller elected to have the complaint heard in New York State Supreme Court. The case was ultimately settled before trial. The settlement order directed the defendant to pay \$5,000 and take several affirmative actions, including attending a fair housing training acceptable to the State Division of Human Rights.

After being refused housing at the place of her choice, Ms. Thomas was forced to spend the next two months searching for another apartment. She finally settled for one that was not as nice. Ms. Thomas expressed gratitude that her housing counselor had been there to help her respond to the discrimination she experienced. After hearing of the settlement, she remarked "I don't think he'll say that to anyone else any time soon."

After hearing of the settlement, Ms. Thomas remarked "I don't think he'll say that to anyone else any time soon!"

# Hope After The Storm

by Kenneth Gholston



Although Hurricane Katrina landed in the Gulf Coast in late August, the effects of the devastating storm could be felt all over the nation. Compounding the storm was the damage done to the levees in the City of New Orleans. They could not withstand the onslaught of the storm, and as a result broke and subsequently flooded the city. Thousands of people were forced to flee from their flooded homes, often leaving behind everything they had. In all, over half a million people were forced to flee from the Gulf Region, and ended up scattered in every region of the country.

One of the regions that had a number of evacuees was right

here in Western New York. Residents opened their arms and pocketbooks in a show of warmth and generosity befitting of "The City of Good Neighbors." Churches, community groups and individual citizens held numerous fundraisers, food and clothing drives and donated anything they thought would be of assistance in this time of need.

Housing Opportunities Made Equal found ways to assist the cause as well. The American Red Cross set up an evacuee center and asked various housing and human service agencies to participate. Among the agencies that participated were The Salvation Army, Catholic Charities and the Buffalo Urban League. HOME assisted the Urban League in coordinating area housing services.

HOME is also helping through its Community Housing Center program. The CHC is assisting former New Orleans resident Jeanette Birdstraw find permanent housing here in the Buffalo area. Ms.

Birdstraw and her grandson arrived in the Buffalo area in September after staying in a hotel in Arkansas. She moved here because she had family in the area and she wanted to get her grandson, who is a budding poet, into a stable environment.

After getting her grandson settled in (he now attends the School for the Performing Arts in Buffalo) she decided that she needed a permanent place to stay. She was referred to the CHC by a friend of her family. The CHC is working with Ms. Birdstraw to not only give her information about the different areas within the City of Buffalo, but is working with her to find a two bedroom unit in the city that she now calls home.

*Help is still needed for the victims of Hurricanes Katrina and Rita. If you would like to donate please contact the American Red Cross at 1-800-HELP-NOW.*

**Looking for a way to restore hope in your community in 2006? Support Civil Rights & Fair Housing. Become a Member of HOME TODAY!**

**Remember HOME for the holidays... Give the gift of HOME membership!**

- Student/limited income.....\$10
- Individual membership.....\$30
- Family membership.....\$40
- Contributing membership.....\$50
- Patron.....\$100
- Sponsor.....\$200
- Benefactor.....\$500

**Detach and return this form to:**

**HOME, Inc.  
700 Main Street  
Buffalo, NY 14202**



Housing Opportunities Made Equal

***Fighting for civil rights since 1963***

Your Name \_\_\_\_\_  
 Your Address \_\_\_\_\_  
 City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
 Phone: \_\_\_\_\_  
 E-mail: \_\_\_\_\_

*Gift of Membership :*

Name \_\_\_\_\_  
 Address \_\_\_\_\_  
 City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
 Phone: \_\_\_\_\_  
 Email: \_\_\_\_\_

**For more information on membership contact HOME at (716) 854-1400 or [www.homeny.org](http://www.homeny.org)**

## M & T Supports Joanne Champion Granger Scholarship

Thanks to the generous support of M & T bank, HOME is able this year to raise the first prize award for the Joanne Champion Granger scholarship to \$2,000. A second prize of \$1,000 and a third prize of \$500 will also be awarded. On hearing the news, Art Butler, Chair of the Joanne Champion Granger Scholarship Committee, said "Hallelujah! Thanks to the generosity of M & T Bank, the scholarship is more attractive and we will be even better able to live up to the aspirations of Joanne Champion Granger and the goals of HOME."

Joanne Champion Granger was a high school science teacher and community activist in whose honor this scholarship was established. Her personal experience with housing discrimination did not defeat her, but increased her

determination to work for equal rights in housing for herself and others.

The award, created in 1995 at the behest of Joanne Champion Granger's husband, Dr. Carl Granger, is granted to a high school senior who demonstrates a commitment to the ideals by which she lived: academic excellence, pride of work, and commitment to human rights.

The scholarship is awarded to a college bound high school senior in Erie or Niagara County who has maintained a "B" average (verified by an official transcript). Applicants must be nominated by school personnel or a community leader familiar with the student's activities. The winners will be determined on the basis of an original essay (maximum three pages)

which demonstrates the student's community involvement and commitment to human rights and /or equal opportunity in housing. Applications must be received by February 10, 2006., and the awards will be presented to the winners at HOME's 43<sup>rd</sup> Annual Meeting . Speakers are available to discuss the scholarship and the important work that it honors: the work of Dr. Martin Luther King, Joanne Champion Granger, and the work that the students themselves are doing to further the cause of civil rights and fair housing.

For more information or to request a speaker, please call 854-1400. Further information and applications are available online at [www.homeny.org](http://www.homeny.org).

### HOME's Mission:

Housing Opportunities Made Equal is a civil rights organization working to ensure fair and equal housing. HOME promotes equal opportunity in housing without restrictions based on such factors as race, color, creed, national origin, sex, age, marital status, disability, sexual orientation, gender identity or expression, lawful source of income or the presence of children within a family. HOME's mission is to assist the people of Western New York to live in the housing and communities of their choice through education, advocacy, enforcement of fair housing laws, and the creation of housing opportunities.

### THANK YOU TO ALL OUR PATRONS...

**The Town of Amherst, The City of Buffalo, the Erie County CDBG Consortium, the Town of Hamburg HSBC Bank USA, M & T Bank, the Peter and Elizabeth C. Tower Foundation, and Donor designated contributions made through the State Employees' Federated Appeal, the Combined Federal Campaign, and the United Way.**



Housing Opportunities Made Equal

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