



MIAMI VALLEY FAIR HOUSING CENTER NEWSLETTER

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JIM MCCARTHY, PRESIDENT/CEO

Celebrate *THE MOVEMENT*

Celebrate *THE MOVEMENT*, held on August 18th at the Sinclair Conference Center, highlighted the 25th anniversary of the Miami Valley Fair Housing Center. More than 200 people attended the event which included a silent auction, music by DJ Basim Blunt, a presentation of *Erma Bombeck: At Wit's End* by Human Race Resident Artist Jennifer Joplin and the presentation of the Robert Adams Award in honor of Willis Blackshear, former Montgomery County Recorder and MVFHC Board Member.

Thanks to all the generous sponsors, silent auction and floral centerpiece donors who helped make this evening a success and to all those who attended. We look forward to seeing everyone again next August!



Jennifer Joplin entertains everyone with a performance from "Erma Bombeck: At Wit's End"



Artist Alice Gatewood Waddell discusses the artwork "Dance to THE MOVEMENT"



Attendees peruse the silent auction items

Meet Your Miami Valley Fair Housing Center Board Members

Matti was born and raised in Dayton, Ohio and graduated from Dayton Public Schools. She retired from the City of Dayton as the Deputy City Manager in January 2005 with 34 years of service. During her first two months of retirement, Matti was asked to come back and lead the Civil Service Office in making significant changes to its testing procedures and employee records system. She accepted the offer as Director and worked from March 2005 until July 2007.

When she left The City of Dayton Matti knew that she wanted to get involved with an organization that served the community. It was at this time that Matti was asked to serve on the Miami Valley Fair Housing Center's Board of Directors. Not knowing what the mission of the Center was and after an interview with Jim McCarthy and some research of her own, she agreed to serve on the board. What she values the most about being involved with the Center is the mission to assist residents of Dayton and surrounding communities with issues such as housing discrimination complaints, protecting their homes against predatory lenders, and the naturalization ceremonies welcoming new citizens to the Dayton area. Matti has served on the Board since 2007 and was the Chair of the Board for three years. Matti truly enjoys working with the center.



*Matti Seege
Immediate Past Chair*

Fair Housing Update: People Living with Mental Illness Face Discrimination

Persons living with mental illness, intellectual or other developmental disabilities continue to face significant housing discrimination in the rental housing market, according to a new pilot study released by the U.S. Department of Housing and Urban Development (HUD).

The pilot study revealed that individuals with mental disabilities seeking rental housing were:

- Less likely to receive a response to their inquiry in e-mail testing.
- Less likely to be told an advertised unit was available in in-person testing.
- Less likely to be invited to contact the housing provider in e-mail testing.
- Less likely to be invited to inspect the available unit in telephone testing.
- More likely to be encouraged to look at a different unit than the one advertised in telephone testing, a potential indicator of steering people with mental illness and intellectual or developmental disabilities toward specific buildings or areas within rental complexes.
- Treated adversely at disparate rates depending on disability type, with higher rates of adverse treatment found for individuals with mental illness than for those with intellectual or developmental disabilities.
- A significant percentage of people with mental disability seeking reasonable accommodation were given a negative response to their request.
- When requests were made by phone, response rates differed by type of disability, revealing that a higher percentage of housing providers were willing to provide accommodations to people with intellectual or developmental disabilities (63.8 percent) than to people with mental illness (55.2 percent).

The main pilot study and four supplemental papers can be found at <https://www.huduser.gov/portal/publications/MentalDisabilities-FinalPaper.html>

The information in this article was collected by John Zimmerman, VP Miami Valley Fair Housing Center from resources from HUD. To view more information go to <https://portal.hud.gov> and use these search words: "Fair Housing-It's Your Right."

Fair Housing Update: Fair Housing Tips for Service Technicians

Familial Status - Prohibitions

The 1988 Fair Housing Act Amendments prohibit housing discrimination against families with children and/or households with any person under the age of 18. Protection is extended to pregnant women and persons in the process of securing legal custody of children.

Familial Status & Building Safety

If building amenities are not safe, agents should work with Service Technicians to correct structural deficiencies since this cannot be used as a reason to refuse a household covered by familial status. In addition, the management company or property owner cannot refuse access by children to areas such as swimming pools, weight rooms, and saunas even though HUD does give us some examples of allowable restrictions. For example, it might be reasonable to disallow children under 5 from accessing a hot tub. In other words, the management company or property owners may impose reasonable health and safety rules that limit access by unaccompanied children to such areas. A key word is "reasonable." The building's rules should not make use of building amenities by families difficult.

Maintenance of accessible features:

Some organizations think that installing a feature ends their FHA or ADA responsibility. Installation is the opposite; it is the beginning of the responsibility. Maintenance personnel should ensure continued access. Examples of activities service techs maintain are:

1. Eliminating obstructions to accessible parking and access aisles.

Continued on page 3...

Federal judge order Marion County landlord to pay over \$200,000 in fair housing lawsuit

The Fair Housing Center of Central Indiana (FHCCI) announced a ruling in a fair housing case addressing disability and familial status discrimination by an Indianapolis landlord. The FHCCI and Carolyn McGuffin, represented by attorneys from Indiana Disability Rights and Brancart & Brancart, previously filed a lawsuit against Carolyn Smitley and the Smitley Family Trust in April 2016 alleging that the Defendants discriminated against Ms. McGuffin in violation of the federal Fair Housing Act. Last week, on July 3, 2018, Judge William T. Lawrence in the United States District Court for the Southern District of Indiana entered judgment requiring the Defendants to pay \$219,747.75 as a result of the discrimination.

The lawsuit alleged that around August 2015, Ms. McGuffin was recovering from an illness under a physician's care while living in an apartment owned and managed by Ms. Smitley. Ms. Smitley repeatedly entered Ms. McGuffin's apartment without notice or permission for the sole purpose of demanding that Ms. McGuffin vacate her home. Ms. Smitley made explicit discriminatory statements to Ms. McGuffin, such as: "I don't want you living here in a hospital bed"; that Ms. McGuffin should be "in a facility" or "in a nursing home" and that she was "too sick to live here."

"I desperately wish Ms. McGuffin was alive today to

know that she won in this difficult fight for her fair housing rights," stated Amy Nelson, Executive Director of the Fair Housing Center of Central Indiana. "Having worked with her for several months, I know the stress she endured due to these discriminatory acts that further emphasized the problem for so many in our community in finding safe, affordable, accessible housing free from unlawful discrimination."



In addition to compensatory damages to the FHCCI and Ms. McGuffin's estate, Judge Lawrence found that punitive damages were appropriate as "[t]he evidence presented at the hearing established that the Defendants consciously and intentionally discriminated against [Ms.] McGuffin or, at a minimum, acted with reckless disregard of [Ms.] McGuffin's rights."

"I am extremely pleased that Judge Lawrence not only recognized the damage caused by Ms. Smitley's actions but also chose to award punitive damages in this case," states Dawn Adams, Executive Director of Indiana Disability Rights. "This landlord preyed upon our client through her intimidation and bullying tactics. Ms. McGuffin was in dire fear of being thrown out on the streets, a stressful situation for anyone let alone for someone with serious health concerns. We are grateful to have partnered with FHCCI on this issue so that we could work together for justice."

Service Tech update continued from page 2 ...

2. Ensuring that accessible parking is used only by those with proper tags.
3. Making sure accessible routes (sidewalks, ramps, curb ramps) are unobstructed and in good shape (no gaps or faults in concrete that could impede a wheelchair).
4. Making sure there are no protruding objects will be trip hazards for people with visual impairments.
5. Snow and ice removal when appropriate. Because local codes are important to this task, owners and managers should have a policy on this that meets their local jurisdictions requirements.

The information in this article was collected by John Zimmerman, VP Miami Valley Fair Housing Center from resources from HUD. To view more information go to <https://portal.hud.gov> and use these search words: "Fair Housing -It's Your Right." Also, visit www.myfairhousing.com/rental to retrieve Fair Housing for Service Technicians.



Need Continuing Education Credits? Sign up for a Webinar!

Miami Valley Fair Housing, in partnership with the [Greater Dayton Apartment Association](#) will offer one-hour fair housing webinars featuring MVFHC vice president John Zimmerman. Each class qualifies for Continuing Education Credit (CEC) from the National Apartment Association.

The cost of each webinar is \$10, payable via PayPal once you have registered online. [Click here for more webinar information and registration.](#)

- Remaining 2018 Webinars -

November 7 Fair Housing and the Issue of Hoarding



Dance to THE MOVEMENT prints available



Dance to *THE MOVEMENT*

Limited edition signed and numbered prints of Dance to *THE MOVEMENT* are still available. Cost is \$250. Contact the Miami Valley Fair Housing Center at 937-223-6035 to reserve your print today.

A [framed print is on display](#) at the [Ed Dixon Gallery](#), 12 South Ludlow Street in Dayton. The Ed Dixon Gallery also has prints for sale.

SAVE THE DATE

COMING UP

- | | |
|-------------|----------------------------|
| November 4 | Daylight Savings Time ends |
| November 6 | Election Day |
| November 11 | Veterans Day |
| November 22 | Thanksgiving Day |
| December 24 | Christmas Eve |
| December 25 | Christmas Day |

MVFHC Mission Statement

The mission of the Miami Valley Fair Housing Center (MVFHC) is to eliminate housing discrimination and ensure equal housing opportunity for all people in our region, the State of Ohio, and nationally.

Specifically, the Miami Valley Fair Housing Center seeks to eliminate housing discrimination against all persons because of race, color, religion, national origin, sex, disability, familial status, or any other characteristic protected under state or local laws. In furthering this goal, MVFHC engages in activities designed to encourage fair housing practices through educational efforts; assists person who believe they have been victims of housing discrimination; identifies barriers to fair housing in order to help counteract and eliminate discriminatory housing practices; works with elected and government representatives to protect and improve fair housing laws; and takes all appropriate and necessary action to ensure that fair housing laws are properly and fairly enforced throughout our region, the State of Ohio, and nationally.

MVFHC Vision Statement

The Miami Valley Fair Housing Center recognizes the importance of “home” as a component of the American dream. We envision a country free of housing discrimination where every individual, group and community enjoys equal housing opportunity and access in a bias-free and open housing market. We envision a country where integrated neighborhoods are the norm, and private and public sectors guarantee civil rights in an open and barrier-free community committed to healing the history of discrimination in America.

MIAMI VALLEY FAIR HOUSING CENTER, INC.

505 Riverside Drive
Dayton, OH 45405
Phone: 937-223-6035

E-mail: info@mvfairhousing.com

Visit us online

www.mvfairhousing.com  



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