

Ann Arbor complex settles suit with gay couple it turned away

BY WYLIE GERDES
Free Press Staff Writer

Gretchen Fogel recalls clearly the day when she and her longtime companion Carla Daniels applied for a co-op apartment in Ann Arbor's University Townhouses in 1991.

Fogel had listed herself as spouse on the application; a townhouse employee took one look at that and rejected the application, Fogel said.

The couple could have amended the form, dodged the co-op's rules banning same-sex applications and gotten an apartment. Instead, they decided to take a stand, which resulted in a settlement last week in their lawsuit against the co-op.

"We were pretty stunned and pretty angry. . . . We knew that they really couldn't get away with it. Somebody needed to call them on it," Fogel said Wednesday.

"Justice. That was the main point," she said. "It's real important that people not get away with this stuff."

Their lawsuit, filed in Washtenaw Circuit Court, alleged violations of Ann

Arbor's human rights ordinance and the state's civil rights act. Under the settlement, the 609-unit complex agreed to put Daniels, 41, and Fogel, 45, on its waiting list and pay their expenses when they move. The agreement also included an undisclosed financial settlement and the co-op's promise to treat applications from same-sex couples the same as other couples'.

Management for the federally backed co-op on Ellsworth in southeast Ann Arbor declined to comment.

Jan Stevenson, director of Affirmations, a gay and lesbian community center in Ferndale, said reports from gay people about housing discrimination is common. Ann Arbor is among a handful of Michigan communities that ban discrimination based on sexual orientation. Elsewhere, gay men and women are at the mercy of landlords, she said.

"Most people don't realize that gay and lesbian people don't have the right to live where they want to live."