

Lesbian Couple Settles Housing Suit

Gretchen Fogel and Carla Daniels accepted an undisclosed settlement to resolve their discrimination case against University Townhouses Cooperative. A couple for over fifteen years, Fogel and Daniels were denied the opportunity to apply jointly to the Coop because they were not related by blood or marriage. Fogel and Daniels were represented by the Fair Housing Center of Washtenaw County.

This is believed to be the first time that marital status and sex provisions of the Elliott-Larsen Civil Rights Act were used to uphold the housing rights of a same sex couple.

In March of 1991, Fogel and Daniels tried to apply for a unit at University Townhouses, a federally-funded, non-profit housing cooperative located in Ann Arbor. According to the lawsuit filed in Washtenaw County Circuit Court, the couple was told that they must be related by blood or law to qualify for entrance into the coop. At that time the application stated: "The family is understood to be two or more people related by blood or law. Unmarried couples (male & female) constitute a family also. Single persons may be eli-

gible for membership, but are eligible for a one bedroom only."

According to Fogel and Daniels, University Townhouses later offered to allow the women to apply separately. They refused and contacted the Fair Housing Center with a complaint of discrimination based on marital status, sex, and sexual orientation. Fogel and Daniels were represented by Fair Housing Center Cooperating Attorney Helen Gallagher. "The plaintiffs were only asking to be treated as a family — the family they have been to each other for many years," said Gallagher.

According to the settlement agreement, University Townhouses will "treat same sex couples in the same manner as it treats unmarried couples for the purpose of accepting and acting on application for membership..." and will pay the couples' moving expenses provided they are approved.

The suit alleged violations of the Michigan Elliott-Larsen Civil Rights Act, which bans discrimination based on sex and marital status, and the City of Ann Arbor Human Rights Ordinance which prohibits discrimination based on sexual orientation.