



By James Dickson

## Fair Housing Center of Southeastern Michigan looking for testers to help investigate housing discrimination complaints

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Fair Housing Center director Pamela Kisch has been working on fair housing issues for more than two decades. Fair housing issues have changed over the years but problems still persist, Kisch said.

Angela J. Cesere | AnnArbor.com

"WHITE MEN AND WOMEN: Would you like to be paid to help investigate CIVIL RIGHTS violations?"

Anyone who frequents area coffee shops and eateries has probably seen them by now, the neon green fliers entreating the assistance of white men and women, Latinas and Latinos, blacks — anyone, really — in testing local housing discrimination complaints for the [Fair Housing Center of Southeastern Michigan](#).

The center has been investigating housing discrimination complaints locally since 1992 and looks into about 140 such complaints a year, running the gamut from racial discrimination to sexual harassment to family status to mental and physical disability discrimination.

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Testing discrimination complaints might be considered a thankless job. Well, more like hobby, really, since no one is making much of a living on the \$35 stipend, plus gas mileage, that testers receive per case.

And yet testers are indispensable to proving the discrimination that people believe has taken place when they call the Fair Housing Center to lodge a complaint. The center has about 130 testers right now, from all walks of life: Young, old, black, white, able and disabled. And the center is always looking for more.

**Pamela Kisch**, executive director of the Fair Housing Center of Southeastern Michigan, said that testers can

investigate claims that individuals could never prove on their own.

"As a prospective tenant or buyer, you're only going into a property once," Kisch said, especially if treated poorly the first time. "It's impossible to say whether you've been discriminated against or if the person is just mean, which isn't illegal. Testing resolves that question."

There can never be enough testing, Kisch said, but once a critical mass of evidence is amassed, she makes a phone call to the property owner, which goes like this:

"Hi, this is Pam Kisch ... we've done some testing at your apartment complex and have found evidence of racial discrimination in housing ... could we meet and talk about this further?"

Sometimes she gets a dial tone, sometimes the call is taken seriously, and sometimes an offer so insultingly low will be proffered that leaves little option but to escalate.

The center then speaks to the complainant, who has choices about what to do next. Doing nothing is always a choice, and some people choose it. Filing a state or federal complaint is another. Going straight to court is another.

If the complainant would like to sue, the center pulls out three names from its extensive legal contacts. All attorneys who handle the center's cases work on a contingency basis, which means that whatever money they do see comes on the back end, after a successful trial or a settlement.

Housing discrimination takes many forms, but at the local center the dominant forms are discrimination based on physical and mental disability, race, and sexual orientation, Kisch said.

In its early years the center took a lot more complaints about family discrimination — landlords not allowing families to have multiple kids in a room, for instance — but those have trailed off. The center has handle cases in so-called "student apartments," where a landlord will try to steer a family away. But that's not a choice landlords have, as family status is protected by law, just like race or sex.

The center in Ann Arbor has seen an uptick in mental and physical disability complaints in recent years, to the point that they've eclipsed racial discrimination complaints.

Since 1992 the center has settled more than 60 cases and won some \$1.75 million in awards and damages for its clients. It has conducted upwards of 2,200 investigations.

Kisch began working in fair housing in the late 1980s as a graduate student at the **University of Michigan**. She had been involved in various anti-racist, anti-sexist causes but really found her passion on a fair housing internship in Chicago, testing family status discrimination complaints over the phone.

She thought that Washtenaw County needed something similar and when she returned to Michigan and finished grad school, Kisch took a job at the **Fair Housing Center of Metropolitan Detroit**. Founded in 1977, that center has won some \$11 million in awards and damages for its clients, including the 2007 Whispering Woods settlement, which at \$725,000 is the largest housing discrimination judgment in Michigan's history.

**Cliff Schrupp**, executive director of the Metro Detroit center, was one of Kisch's early mentors in the fair housing business. Schrupp has been working in fair housing since 1964, when he investigated discrimination claims in Saginaw. He's been at the Metro Detroit center since 1977.

Schrupp said it takes a "unique set of skills and commitment" to make such a center work, and that Kisch's tireless nature served her well.

The challenge of running a fair housing center is finding local funding, Schrupp told AnnArbor.com. "We've lost centers in Saginaw and in Lansing over the years," and it doesn't take much more than a bad funding cycle for a center to go bust," Schrupp said.

Budgets for fair housing centers are precarious and unpredictable. Sometimes the center gets funding from the **U.S. Department of Housing and Urban Development** and sometimes it doesn't. Sometimes it wins its cases, sometimes it doesn't.

In fiscal years 2009 and 2010, HUD funding was the center's single biggest source of income, accounting for more than 50 percent of its revenues. Considering that HUD's own budget isn't set in stone, either, fair housing groups are in a precarious position.

In 2002, the center expanded into Lenawee and Monroe counties and rechristened the Fair Housing Center of Southeastern Michigan, which it remains. In 2009, after receiving a three-year, \$500,000 performance-based grant from HUD, the center expanded into Ingham, Jackson and Livingston counties. Just as testers are crucial to proving patterns of discrimination, fair housing centers are crucial in helping the government make discrimination cases in court, said **Judith Levy**, head of the Civil Rights Unit of the **U.S. Department of Justice — Eastern Division**, which operates out of Detroit.

Levy's been heading up that unit since May 2000, she said, and has taken referrals from local fair housing centers on several housing discrimination cases, including the successful prosecution last year against Washtenaw County

commissioner [Ronnie Peterson](#) and his cousin and property manager [Glenn Johnson](#) and an [\\$82,500 settlement](#) (but no admission of guilt) in the matter of [Ivanhoe Apartments](#), whose owners were sued for racial discrimination.

The Department of Justice has its own testers, Levy said, but local fair housing centers can "respond in real time." Once the DOJ takes a referral from the Fair Housing Center, it investigates the matter further, Levy said, interviewing the testers and reviewing their training materials and their reports to ensure everything is on the up and up.

"Sometimes that includes extra testing, sometimes it doesn't," Levy said.

Kisch, Schrupp and Levy all offered different responses when asked whether the nature of housing discrimination complaints had changed over their years investigating it.

While Kisch sees more disability discrimination than racial or sexual in recent years, and Schrupp said that the behavior of landlords, realty agencies and their staffers had improved considerably over the almost 50 years he's been in the business. Levy said that disappointingly little had changed in the decade-plus since she'd been heading up the Civil Rights Division.

"Housing discrimination is still alive and well in America," Levy said.

Interested in becoming a fair housing tester? Contact the Fair Housing Center of Southeastern Michigan at 1-877-979-FAIR, or visit its website at <http://www.fhcmichigan.org/>.

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