

FAIR HOUSING CENTER OF WASHTENAW COUNTY



PO BOX 7825 • ANN ARBOR, MI 48107 • (313) 994-3426

Disability Case Settles

Janine Battistone has settled her case against landlord David Johnson. The details of the settlement are undisclosed. Battistone sued Johnson claiming he violated the Michigan Handicappers' Civil Rights Act by refusing to rent his first floor apartment to Battistone and her family because ten-year old Laura Battistone uses a wheelchair.

Prior to litigation Battistone attempted to conciliate the case by having FHC staff contact the owner. During the conciliation Johnson told FHC staff that his attorney had advised him that he did not have to pay for [making the unit accessible] if it was an undue hardship. FHC staff reminded Johnson that Battistone offered to pay for



Janine Battistone with daughters Laura (center) and Lindsey.

the ramp herself. FHC Cooperating Attorney Martin Scott filed the suit on behalf of

Janine and Laura Battistone. The case was assigned to Judge Claudia Morcom. "We

all have the right to be treated fairly" said Battistone after the case was settled.

The FHC Needs Testers

As the numbers of fair housing complaints grows, our need for testers also increases. If you or someone you know would like to be trained as a tester please contact the Fair Housing Center at 994-3426.

DECEMBER 1995

Cases Filed

Schiller v McKinley

Scott and Candi Schiller have three children, one too many according to the rules of Meadowbrook Village Apartments in Ann Arbor.

The Schillers contacted the FHC with a complaint of discrimination based on familial status after they inquired about an apartment at Meadowbrook Village, a McKinley Properties complex. According to the Schillers, they were told that the complex had a limit of two people per bedroom. The Schillers reported to the FHC that the bedrooms at Meadowbrook Village were unusually large. The FHC investigation located Meadowbrook units that were, according to the City of Ann Arbor housing code, large enough for five people.

"We worried that we would have nowhere to move," said Scott Schiller. He and Candi Schiller are working and going to school. The suit was filed in Washtenaw County Circuit Court by FHC Cooperating Attorneys Jonathan Rose and Jonathan Weber. The case is assigned to Judge Ann Mattson.

Tankson v Allmand

Sarah Tankson filed suit against Thomas Robert Allmand, owner of Arbor Apartments, claiming discrimination based on disability and race. The lawsuit claims that Arbor Apartments' agents violated both the Michigan Handicappers' Civil Rights Act and the Michigan Elliott-Larsen Civil Act that bans race discrimination. They refused to rent an apartment to Tankson because she has a disability and therefore receives Supplemental Security Income (SSI). Tankson is African-American and has a hereditary condition known as myoclonus.

The Fair Housing Center of Washtenaw County investigated Tankson's claim after she contacted the organization in March of 1995. FHC testing and a statement from a witness support Tankson's claim of discrimination based on disability and race. According to the suit Tankson was forced to move to another complex outside the City of Ann Arbor where she is not eligible for subsidized transportation services.

FHC Cooperating Attorney David Cahill filed the suit in Washtenaw County Circuit Court. The case is assigned to Judge Richard E. Conlin. No date for trial has been set. Tankson also filed a complaint with the City of Ann Arbor claiming discrimination based on source of income. The City of Ann Arbor claim has been forwarded to the City Attorney for consideration.

Lewis v Williamsburg Village Apartments

Sharon Lewis filed a race discrimination suit against Williamsburg Village Apartments in Lyon Township, Michigan. In April 1995 Lewis, a white woman, contacted FHC Cooperating Attorney Michael J. Steinberg about her housing discrimination claim. Steinberg referred the case to the Fair Housing Center of Washtenaw County for investigation. Lewis planned to share the apartment with Tyrone Tillison, her African-American boyfriend, and their five-year-old son Phillip.

According to the law suit, on the day Lewis moved in (Tillison was to join her ten days later), manager Elizabeth Bell asked Lewis what nationality her "husband" was. When Lewis asked why, Elizabeth Bell responded that Lewis' son Phillip was "kind of dark." Lewis told Bell that Phillip's

father was Black. Elizabeth Bell then told Lewis that Phillip's father could not live at Williamsburg Village Apartments and that Bell also said that there were no Blacks in the area. Bell then told Lewis that only two people were allowed in a two-bedroom apartment.

In May of 1995 Lewis received a letter from owner Richard Perry threatening to evict Lewis unless Tyrone Tillison moved out. Testing conducted by the Fair Housing Center supported Lewis' claim of discrimination based on race. White testers were told about available two-bedroom apartments while African-American testers were told that no two-bedroom units were open. Steinberg filed suit on behalf of Lewis in U.S. District Court. The case is assigned to Judge Denise Page Hood.

*FHC-Washtenaw Complainant joins
FHC-Detroit Mortgage Discrimination Suit*

Carson et al. v First Security Savings

Paquita Davis, an African-American doctoral student at the University of Michigan contacted FHC-Washtenaw with a complaint against First Securities Savings Bank. Davis was turned down at the pre-qualifying stage in her attempt to buy a home in the \$60,000 range. At the time of her complaint she was earning \$34,000 as a CPA. Davis went to another lending institution where she was quickly approved for a mortgage to purchase a \$62,000 home. Testing by FHC-Detroit supports Davis' claim of discrimination based on race. Davis joins five other families/individuals in the suit against First Security Savings. The suit was filed in U.S. District Court by FHC-Detroit Cooperating Attorney Steven R. Tomkowiak. The case is assigned to Judge Avern Cohn.

Cross Burning in Washtenaw County

Robert Couch, Anna Bentley and their five children rent a house in Augusta Township. On September 21, 1995 Robert Couch returned home from picking up his daughter at work to find a cross burning in the front yard of their Whittaker Road home. The sheriff and fire department responded to the call. According to Couch, initially the law enforcement officers asked the family to keep the charred cross in their back yard, claiming they had no way to transport the seven foot structure nailed to a pedestal. Couch eventually had the fire department haul the cross out of his yard.

At a meeting held two weeks later community members along with the Couch/Bentley family talked about the cross burning and began to discuss a community response to the incident as well as racial harassment of African-American children, including the Couch children, at neighborhood schools. Plans include coordinating visitors to the Couch/Bentley home, a clergy-sponsored anti-racism event, and the distribution of anti-racist yard signs (to be coordinated by the Fair Housing Center of Washtenaw County).

For more information about the community response contact
The Fair Housing Center of Washtenaw County.

Responding to Hate Crimes

DO:

- Stop by to say you're sorry about what happened. It's important to begin by acknowledging that such a crime has occurred.
- Understand that this is a life threatening experience.
- Offer your help to remove graffiti, pick up broken glass, etc.
- Organize or join community action and education in opposition to the to the hate crime.
- Educate yourself, your family and your community about the history of hate crime.

DON'T:

- Minimize the situation by calling it an isolated incident. Remember, it is no less frightening to the victim, and no one can guarantee that it won't happen again.
- Blame the victim by asking what they did to bring this on. No one deserves to be the victim of a hate crime.
- Assume the perpetrator is not from your community. Unfortunately hate and discrimination are everywhere.

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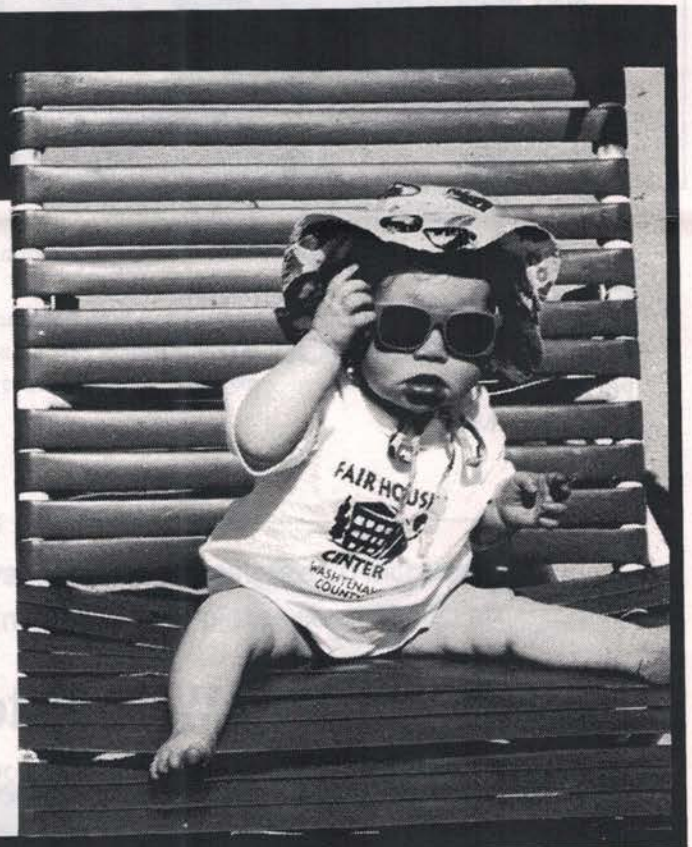
Fair Housing Center T-Shirts

*Mara Sullivan, one-year-old daughter of FHC Members
Jim Sullivan and Joan Bruggers models her FHC t-shirt*

Send \$10 (check or money order) payable to the
FHC • PO Box 7825, Ann Arbor, MI 48107

Adult sizes S, M, L and XL

Free Baby T-Shirts
are still available to FHC members,
testers and complainants



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Congratulations!

To our Coordinator of Investigations Amy Jordan-Rahman on her marriage to Ahmed Abdur-Rahman in July of this year. We wish them the best and when Ahmed calls, we all get a big kick out of saying "Amy, it's your husband on line one."



The Fair Housing Center

provides investigative services, advocacy and attorney referral to victims of housing discrimination.

The Law

The Federal Fair Housing Act prohibits housing discrimination based on race, color, religion, national origin, sex (includes sexual harassment), disability or familial status (families with children). State law in Michigan adds age and marital status. Local ordinances in the cities of Ann Arbor and Ypsilanti cover sexual orientation, legal source of income and student or non-student status.

FHC Joins "Friend of the Court"

Brief on Marital Status

FHC-Detroit Cooperating Attorney Henry Stencato filed a "Friend of the Court" (Amici Curiae) brief on behalf of the Michigan Fair Housing Centers, The American Civil Liberties Union of Michigan, and Michigan Protection and Advocacy.

Two law suits filed with the help of Jackson County Fair Housing Center are currently on appeal. Both cases involve couples who were denied housing because they were not married. Stencato's brief, filed with the Michigan Court of Appeals, supports the interpretation that marital status provisions of the Michigan Elliott-Larsen Civil Rights Act cover people who are not married.

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We need testers!

See front page for details

