

\$11,500 Settles Race Discrimination Suit Same Complex Sued in 1997

Mackey v Parkhill Apartments

Ypsilanti

When Rashawnda and Marcus Mackey, an African-American couple, were denied an apartment at Parkhill Apartments, Ms. Mackey was suspicious. She contacted the Fair Housing Center to report the denial. FHC staff were familiar with Parkhill Apartments. In 1997, FHC assisted Pamela Thomas with a lawsuit against Parkhill. Her familial status case settled for \$7,500. Both cases involved the same agent. In response to the Mackey's complaint FHC Coordinator of Investigations Mary Bejian sent teams of African American and white testers to the Ypsilanti apartment complex. In late May 2001 a white tester was told about an apartment available for July 1, 2001, while the African-American tester was told that no units were available then or any time in



Rashawnda and Marcus Mackey

the summer. Other tests also supported the Mackeys' claim of race discrimination. The Mackeys' decided on litigation and chose FHC Cooperating Attorney Steve Tomkowiak. Mr. Tomkowiak filed suit on behalf the Mackeys' in Federal Court. The case was assigned to the Honorable Denise Page Hood. Testing for this case was funded by a contract with Washtenaw County.

Court: Federal
Settlement: \$11,500

we provide advice,
advocacy,
conciliation,
attorney referral,
and
community
education

Housing Commission Changes Domestic Violence Policy



Aaronica Warren
(photo by Bill Gemmill)

Warren v Ypsilanti Housing Commission

The Ypsilanti Housing Commission will no longer use the "one strike" policy to evict women who have been victims of domestic violence. Aaronica Warren has accepted \$3,000 and a change in policy to settle her fair housing claim against the Housing Commission.

"This is a significant event for survivors of domestic violence," said Barbara Niess,

Executive Director of the Domestic Violence Project SAFE House. "The 'one-strike' policy punishes survivors for the criminal behavior of their abusive partners — which the survivor cannot control. The result can be that survivors who are being battered and abused will not call the police, for fear they will lose their home. We applaud Ms. Warren's courage in challenging this policy, and we are grateful that the Housing Commission agreed to change it." — continued on next page

cases settled

— continued from front page

The case began in March 2000 after Aaronica Warren contacted the police to report an incidence of domestic violence by her former boyfriend. Two days later the Housing Commission sent her an eviction notice. Relying on HUD's "one strike" policy, the Ypsilanti Housing Commission contended that Ms. Warren should be evicted because, according to her lease, a tenant "will be responsible for the household regardless of whether or not he or she was personally engaged in the prohibited ...

criminal action on the premises." When Ms. Warren decided to pursue fair housing litigation, the FHC referred her to the ACLU of Michigan. ACLU Cooperating Attorneys Debra McCulloch and William Thacker of Dykema Gossett filed the lawsuit in Federal District Court, alleging discrimination based on sex. The case was assigned to the Honorable Paul V. Gadola. Ms. Warren's case was featured in a Detroit MetroTimes (April 24-30, 2002) cover story.

Court: Federal

Settlement: \$3,000

Reserved Parking Space and \$3,500 Settle Disability Case

Dukes v Carpenter Place

Pittsfield Township

Marie Dukes has settled her disability discrimination lawsuit against the Fourmidable Group, owners of Carpenter Place Apartments. Mrs. Dukes, who has trouble walking, asked the management for a reserved parking space closer to the front entrance of the building. When they refused, Mrs. Dukes contacted the Fair Housing Center of Southeastern Michigan for assistance. Fair Housing Center staff wrote a letter to CarpenterPlace Apartments asking for the parking space as a reasonable accommodation of Mrs. Dukes' disability. When the deadline for action passed, Mrs. Dukes was referred to FHC Cooperating Attorney, J. Mark Finnegan, for litigation. Mr. Finnegan filed suit on behalf of Mrs. Dukes in U.S. Federal District Court, and the case was assigned to Judge Patrick J. Duggan.

Mrs. Dukes told FHC staff that the complex provides an inadequate amount of handicapped parking. Once when she



Marie Dukes



Reserved parking space for Mrs. Dukes

couldn't find a space and parked where she could manage, Carpenter Place immediately had her car towed. Shortly after the litigation was filed, Mrs. Dukes received a reserved parking space and agreed to settle the case for \$3,500. "I think it's wonderful, it's so much better," said Ms. Duke about her new parking space.

Court: Federal

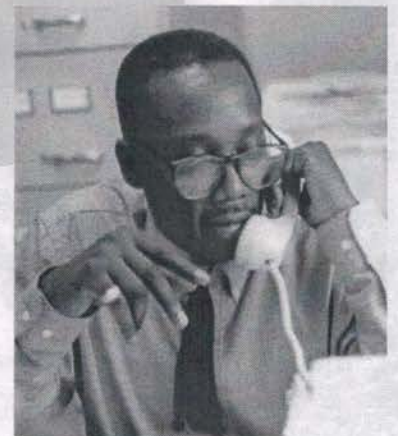
Settlement: \$3,500 + reserved parking space

Remembering Marvin Thomas

We mourn the loss of our friend and colleague, Marvin Thomas, who passed away on February 17, 2004. For over twenty years Marv was the Coordinator of Testing and Investigations for the Fair Housing Center of Metropolitan Detroit. I had the privilege of working with Marv for three years. He was a great teacher who led by example. He quietly got the job done-- assigning tests, finding evidence, moving on to the next complaint. Marv loved his work, he found depositions and being a witness in court interesting (even fun) and he passed his enthusiasm on.

It is hard to believe that Marv isn't just a phone call away with advice on testing strategy. We send our condolences to Marv's wife Jackie, the family, and the staff of FHC-Detroit.

— Pam Kisch



cases filed

Luckett v Town & Country Pittsfield Township

Felton Luckett, an African-American man, told the FHC that he applied for an apartment at Town & Country Apartments on Carpenter Road and had been accepted and signed a lease to begin January 1, 2001. When he called Town & Country to arrange to move in, he was told that the unit had been rented to someone else and that he would have to wait until February. When he called in early February, the manager told him that he had to wait for his unit to be re-carpeted. Later Mr. Luckett was told that Town & Country decided not rent to him. Undercover testing supported Mr. Luckett's race discrimination claim. Attorney Steven Tomkowiak filed suit on behalf of Mr. Tomkowiak in U.S. Federal District Court. The case is assigned to the Honorable Paul D. Borman.

Court: Federal Status: Open

Caldwell v Bailey

Adrian (Lenawee County)

Samadai Caldwell, a mother of two, contacted the FHC to report an apartment owner who didn't want to rent to anyone

with children under four years of age. Ms. Caldwell's daughter was two at the time. Testing of the owner supported Ms. Caldwell's claim of discrimination based on familial status. FHC Cooperating Attorney Steven Tomkowiak filed suit on behalf of Ms. Caldwell in U.S. Federal District Court. The case is assigned to the Honorable Arthur J. Tarnow.

Court: Federal Status: Open

Bevins v Mick Apartments

Milan (Monroe County)

Christina Bevins was eight months pregnant with her first child when she contacted the FHC. She told FHC staff that the owners of Mick Apartments in Milan offered her an apartment and later turned her down because a baby would be living in the unit. Testing supports this claim. FHC Cooperating Attorneys Jonathan Weber and Jonathan Rose filed suit on behalf of Ms. Caldwell in U.S. Federal District Court, the case is assigned to Judge Gerald E. Rosen. This is the first FHC-aided lawsuit from Monroe County.

Court: Federal Status: Open

Keep the FHC Going Strong in 2004

Your membership will be immediately put to work in our effort to uncover illegal housing discrimination. We need your support to provide testing, investigative services, advocacy, advice, conciliation, and attorney referral.

Just clip the form below and return it to FHC.

Thanks for your support!

Visit our new web site:
www.fhcsoutheast.org

membership drive

Fair Housing Center of Southeastern Michigan

Name _____ Date _____

Organization _____

Address _____

City _____ State _____ ZIP _____

- New Member
- Renewing Member
- Much Appreciated Mid-Year Gift

- \$100 \$25
- \$50 New Member from
- \$35 Lenawee County
- \$250 or Monroe County
- \$ _____

Fair Housing Center • P.O. Box 7825 • Ann Arbor, MI 48107 • (734) 994-3426 • (517) 263-1777

Your Donation Is Tax Deductible

Welcome, Larry Richardson

Lenawee County Sheriff Larry Richardson joined the FHC-Southeast Board of Directors earlier this year. As former President of the NAACP-Lenawee County Branch, Sheriff Richardson worked closely with the Fair Housing Center on *NAACP v Adrian Manor*. This race discrimination case originated from a white couple who came forward to report comments by their landlord favoring white tenants. Testing supported the claim and the NAACP-Lenawee County Branch enthusiastically agreed act as the plaintiff. The case settled for

an undisclosed amount. Before being elected Sheriff of Lenawee County, Larry Richardson spent over thirty years as a police officer for the City of Adrian. Hired in 1968, he was the first African American police officer to be hired by the City. As we work to increase our visibility in Lenawee County, we are very fortunate to have Sheriff Richardson on our Board of Directors.



Become a new member or renew your membership — see form inside.

fa=r
HOUSING
CENTER
of SOUTHEASTERN MICHIGAN

RETURN SERVICE REQUESTED

P.O. BOX 7825
ANN ARBOR, MI 48107

Did you know?

Total FHC settlements
now exceed \$790,000!

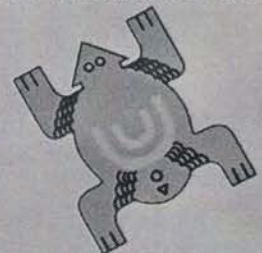
**board of
directors**

Kim M. Moore, *President*
Lauretta Codrington, *Vice President*
Michael Appel, *Secretary/Treasurer*
Paul Haynes
Mark Mitshkun
Raymond Mullins
Larry Richardson
Ann Routt
Delphia Simpson

staff

Pamela A. Kisch
Executive Director
Mary A. Bejian
Coordinator or Investigations
Ruth L. Kraut
Special Projects Coordinator

Printed courtesy of our friends at
Ethnic Creations & Kayu



Westgate Shopping Center
Ann Arbor • (734) 794-0099