

# FAIR HOUSING CENTER OF WASHTENAW COUNTY



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

## Fair Housing Cases Settled

In the fall of 1994 Stacey Faulk accepted an undisclosed amount to settle her housing discrimination claim against Barbara Maes. According to the suit Ms. Faulk was denied the rental of an apartment at 943 W. Cross in Ypsilanti near the Eastern Michigan University campus because she has a baby. Testing by the FHC supported Faulk's claim of discrimination based on familial status.

Faulk attempted to resolve the issue through conciliation by Fair Housing Center of Washtenaw County staff. "That is student housing and I probably didn't want

children in there" said owner, Barbara Maes, during conciliation. In a letter to the Fair Housing Center Maes' attorney, William F. Anhut, admitted his client told Faulk the apartment "was not suitable for children." Fair Housing Center of Washtenaw County Cooperating Attorney Michael J. Steinberg filed the lawsuit in Washtenaw County Circuit Court on behalf of Faulk. The case was assigned to Judge William F. Ager, Jr.

This was not the only time Faulk called the FHC with a complaint of discrimination



*Bridget Faulk is happy to be in her new apartment*

based on familial status. FHC successfully conciliated a complaint against Andover Apartments in

Ypsilanti where the owner agreed to offer Faulk a one year lease with no rent for the first six months.

### Worthy v Briar Cove

Frank and Elgirtha Worthy settled their race discrimination suit against Briar Cove Apartments in Ann

Arbor. In 1992 the Worthys, an African-American couple with one child living at home, contacted the FHC with a complaint of discrimination against the complex located near Briarwood Mall.

Testing conducted by the Fair Housing Center supported the Worthy's charge of discrimination based on race. The white tester was told of almost immediate availability while the African-American

tester was told nothing would not be available for two weeks. The Worthys eventually moved into Briar Cove. According to the lawsuit, when the Worthys arrived at Briar Cove to  
*(Continued on page 3)*



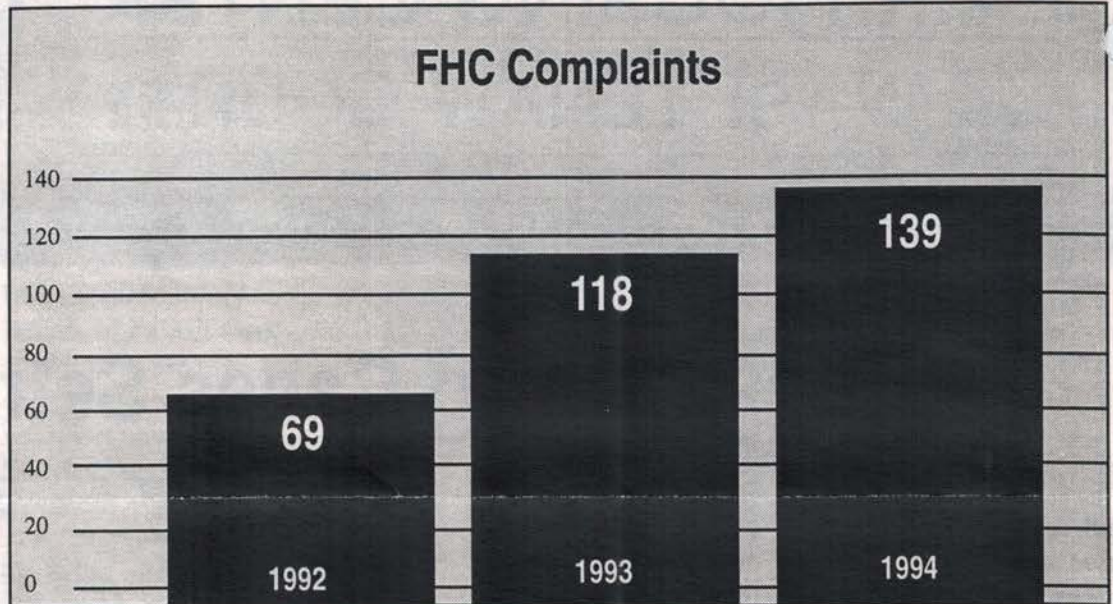
## Cases Filed

### Battistone v Johnson

Janine Battistone filed suit against landlord David Johnson claiming discrimination based on disability. The law suit claims that Johnson 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.

Battistone told the Fair Housing Center of Washtenaw County that she explained to Johnson that the apartment met her family's needs and that she would have a ramp to the front door installed at her own expense. Battistone later called Johnson and made an appointment to see the unit again and to return a completed application.

According to Battistone, Johnson canceled the appointment saying he couldn't afford to make the unit accessible. Battistone said she reminded him that she would pay for the ramp and that no other alterations were required. FHC testing supports Battistone's discrimination claim. FHC Cooperating Attorney Martin Scott filed the suit in Wayne County Circuit Court on behalf of Janine and Laura Battistone. The case is assigned to Judge Claudia Morcom. The case was filed in April 1995.



### Matts v Lakeview

Oscar Matts sued Lakeview Mobile Home Park for refusing to pay for widening the driveway of his mobile home lot. Mr. Matts uses a wheelchair and needs the extra space to use the lift for his van. The Michigan Handicappers' Civil Rights Act states that a landlord "...shall accommodate a [person with a disability] for purposes of housing unless the [landlord] demonstrates that the accommodation would impose an undue hardship." The cost of the modification was \$428.

FHC Cooperating Attorney David Cahill filed the law suit in Washtenaw County Circuit Court. The case, filed in March of 1995, is assigned to Judge Karl V. Fink.

### Y. Johnson v University Management

Yma Johnson filed a race discrimination suit against University Management Inc. In her complaint to the Fair Housing Center, Johnson stated that she and a white friend wanted to rent an apartment at 510 N. Congress in downtown Ypsilanti where the friend knew the manager. In a letter to the FHC, Johnson's friend wrote about her conversation with the manager's cousin and then with the manager himself—"I told him what [his cousin] had told me, that he wouldn't rent to Yma because she was Black and he said yes, that was true." The letter, along with testing evidence, supports Ms. Johnson's discrimination claim.

In March of 1995, FHC Cooperating Attorney Michael J. Steinberg filed suit on behalf of Ms. Johnson in Washtenaw County Circuit Court. The case is assigned to Judge Patrick J. Conlin.

### D. Johnson v Stadium Apartments

FHC-Washtenaw Cooperating Attorney David Cahill filed a lawsuit on behalf of Deborah Johnson. According to the suit, filed in Washtenaw County Circuit Court, Johnson was denied the rental of a two-bedroom apartment at Stadium Apartments in Ann Arbor because she had three children in her family.

According to Johnson she was told that she couldn't rent the apartment because she planned to share a room with her niece, that the complex did not really want children in the units, and that they usually denied families with children. Statements from a witness support Johnson's claim of discrimination based on familial status. The case is assigned to Chief Judge Melinda Morris. The case was filed in January 1995.



## Cases Settled

(*Briar Cove, continued from page 1*) move in, the rental agent laughed and said "You are in for a surprise." The suit claims that the Worthys found the apartment to be "dirty, including dirty carpets, paint dust all over, paint stains on the carpet, dirt all over, unpainted walls or generally a filthy apartment."

FHC Cooperating Attorney James C. Barnes, Jr. filed suit on behalf of the Worthys in Wayne County Circuit Court. The case was assigned to Judge Michael L. Stacey. The FHC's review of court documents found that the terms of the settlement are not disclosed. Through an agreement with the defendant, the Worthys and their attorney are prohibited from discussing the case or the terms of the settlement.

## "Women in the Community"



Three University of Michigan students volunteered at the FHC as part of their course work for "Women in the Community" (left to right) Shenia Coleman, Tiia Kansa and Emily Betwee. Shenia is spending the summer in Washington, D.C. as a White House Intern.

## FAIR HOUSING



### Fair Housing Center T-Shirts are now available for \$10.

Adult sizes S, M, L and XL

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

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

### Fogel & Daniels v University Townhouses Coop

According to the settlement agreement University Townhouses will "treat same sex couples in the same matter as it treats unmarried couples for the purpose of accepting and acting on applications for membership..." and will pay the couples' moving expenses provided they are approved. The agreement also calls for an undisclosed cash settlement to FHC complainants Gretchen Fogel and Carla Daniel to resolve their complaint of discrimination based on sex, marital status, and sexual orientation.

"I'm delighted with the outcome" said FHC Cooperating Attorney Helen Gallagher. "It is important to recognize the diversity among families today and to understand that same sex couples are families and ought to be treated that way under the law".

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. This case is believed to be the first time that marital status and sex provisions of the Michigan Elliott-Larsen Civil Rights Act were used to uphold the housing rights of a same sex couple. University Townhouses Cooperative is a federally subsidized, non-profit housing cooperative located in Ann Arbor.

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*The Fair Housing Center provides investigative services, advocacy and attorney referral to victims of housing discrimination.*

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**Welcome Mary Bejian**

The Fair Housing Center of Washtenaw County is pleased to introduce our newest Coordinator of Investigations, Mary Bejian. Mary will work part-time at the FHC and continue her work as the volunteer coordinator at S.O.S. Crisis Center in Ypsilanti.

Mary is a graduate of the University of Michigan and has worked as a volunteer with the FHC for the past year. Mary is an excellent addition to the staff and we look forward to benefiting from her extensive community contacts.

**Weber & Rose - FHC's own full court press!**



*Cheryl Helm pictured here with Cooperating Attorneys, Jonathon Rose on her left and Jonathan Weber on her right*

**Thank You Cheryl Helm**

**Cheryl Helm** very generously donated \$572.30 to The Fair Housing Center of Washtenaw County, the largest individual gift ever made to the FHC. Helm donated an equal amount to the Ann Arbor Tenants Union. The FHC worked with Helm to file a familial status case in 1993.

**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.

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