Spotlight on Client Services

Of the hundreds of calls to HOME each year regarding housing issues, about one-third relate to illegal discrimination. A team of client service specialists listen, evaluate and investigate to help callers enforce their rights.

For LaTonya Springs, a specialist since 2006, the most satisfying part of the job is helping the client. “I feel elated.” That may entail, for example, talking with the landlord to get a reasonable accommodation for someone with a disability, saving someone from eviction, or acting as a mediator to resolve disputes between neighbors or between a tenant and landlord.

“I believe housing discrimination still exists today,” she said, because she deals with cases of it every day. “With race and national origin, we usually are not finding the in-your-face discrimination where a person is told that they can’t rent the property because they are black. Instead they are told the property is not available when in reality it is or they are quoted different prices or not told of specials compared to similarly-situated white applicants. And our investigations support the complaints of our clients.”

Last year, LaTonya saw a “lot of outright discrimination” against families with children, even though that has been illegal since 1988. “We had cases where the families were told by managers that they had quiet neighbors in the building and the owner would have to check with the other tenants to find out if they would have a problem with children living in the building,” she said. “Some clients were told — even before they shared their income information — that the family could not afford the apartment because of daycare costs and diapers.”

Nevertheless, neither of these is the most common complaint. For several years, nearly half of discrimination complaints investigated by HOME related to people with disabilities and their right to use and enjoy their homes just as other residents do.

“On a daily basis, HOME receives calls about an owner or their representative not allowing a reasonable accommodation (a change in policy or practice),” LaTonya said. “What they are not understanding is that without this accommodation, it would not be possible for the person with the disability to enjoy their housing.”

As an example, LaTonya cites the person who has a disability affecting breathing or mobility who needs a parking space close to the entrance. “For this person, walking unnecessary distances creates a daily, unbearable task that might limit how many times they leave the apartment. They could become a prisoner in their home just to avoid the task of the walking to and from their vehicle.”

Other accommodations relate to caregivers, support animals, chemical uses or notices. Client service specialists, like LaTonya, help ensure those with disabilities get the help they need to live in the communities of their choice.
Accessibility and the Fair Housing Act

The Fair Housing Act (Civil Rights Act of 1968, as amended) prohibits discrimination in housing. It makes it illegal to deny someone housing because of their race/color, national origin, religion, sex, disability, or because they have children. But there is a part of the Act that looks different and seems out of place. It looks a little like a building code giving accessibility standards for the design and construction of multifamily buildings. Most people refer to building accessibility standards as “ADA standards,” but these are not part of the American with Disabilities Act (ADA), but in the Fair Housing Act. What’s going on here?

1988 Amendments to Fair Housing Act
In 1988 the Fair Housing Act was being amended to strengthen its enforcement provisions. An ADA bill also was introduced in the same Congressional session. When it became clear that the ADA was not going to pass that year, the accessibility design and construction standards for housing were added to the Fair Housing Act amendment.

The Civil Rights leaders who worked to strengthen fair housing protections recognized the movement for disability rights as part of the larger civil rights movement. The Fair Housing Act Amendment of 1988, including the accessibility standards, was passed by Congress and signed by President Ronald Reagan. Two years later, in 1990, the Americans with Disabilities Act was signed into law.

Is it ADA or Fair Housing?
• The Fair Housing Act covers dwellings, places where people live.
• The ADA covers offices, stores, public buildings and actions by governments.
• Both require reasonable accommodations (relating to policies or practices) or modifications (relating to physical structures).

This year is the 25th Anniversary of the Americans with Disabilities Act. HOME is working with disability groups in the Cincinnati area to celebrate this important anniversary. Civil rights include protecting people with disabilities from discrimination. And isn’t it only fair to build housing that is accessible to all people?

Case Update

National Origin
The Ohio Civil Rights Commission found Probable Cause of discrimination based on national origin against a Hyde Park landlord who asked someone calling about a vacancy “Are you Mexican?” When the person said “yes,” the landlord abruptly hung up and would not answer when the person attempted to call back.

2014 By the Numbers
1,971 people called HOME for help with housing issues.
• 591 had discrimination complaints or inquiries.
• 1,380 had landlord-tenant and other housing problems.
HOME’s Mobility program assisted 77 families with Housing Choice Vouchers move to low-poverty neighborhoods.
HOME reached 2,989 people with fair housing training and consumer education.
• 1,730 attended consumer education presentations
• 1,259 Realtors and landlords attended training

Families with Children
HOME filed a housing discrimination complaint against a Williamsburg, Ohio, landlord who advertised on Craigslist that there could be no more than 2 children in a 3-bedroom rental property. Testing confirmed that they would not rent to a family with more than 2 children while they welcomed a household with 4 adults.

Racial Discrimination
HOME assisted a professional African American woman moving to Cincinnati for a job file a racial discrimination complaint against a Blue Ash complex. Her experience in trying to rent an apartment left her frustrated and wondering if she had made the right decision in relocating.

HOME assisted a couple with children file a racial discrimination complaint against a Green Township landlord. The couple was told the unit was too small for their family; however testing showed that the issue was not the children, but the race of the family.

WHAT THIS PLACE NEEDS IS YOU.

PLEASE GIVE. ADVOCATE. VOLUNTEER.

BECAUSE GREAT THINGS HAPPEN WHEN WE LIVE UNITED.
By Elizabeth Brown
HOME Executive Director

Cincinnati is in the process of revising its zoning code and creating a new Land Development Code. The revision of this massive document is an opportunity to fix those zoning regulations that restrict residents’ fair housing choice.

The code contains numerous definitions and classifications of zones based on who lives in residential property. For example, throughout the zoning code the City regulates where you are allowed to live in Cincinnati depending on whether you are a nun, a student, a fraternity member, elderly, a person with a developmental disability, or homeless. These are only examples of some of the many zoning distinctions made based on who we are.

This level of government control over where people are allowed to live is unnecessary. Other laws and regulations exist to protect health and safety. The Housing Code sets a reasonable occupancy standard of how many people can live in a house based on square footage to prevent overcrowding. It should not matter whether the individuals are students, are elderly, or need help because they have a disability. State licensing laws exist to protect the safety of residents in group homes that provide caregiving or treatment. Additional zoning restrictions keeping people out of certain parts of the city because of who they are and who they choose to live with are unnecessary and waste taxpayers’ dollars to enforce.

Some of these zoning classifications could be challenged as illegal discrimination to the extent they restrict the housing choices of groups protected by the fair housing laws, such as people with mental or physical disabilities.

When the City says permanent supportive housing is not permitted where other multi-family residential buildings are allowed, it is keeping out people with disabilities because they need support in their housing.

HOME has provided comments asking the City to eliminate all zoning classifications based on who lives in residential property.

View the draft of the Cincinnati Land Development Code at: www.cincinnati-oh.gov/planning/zoning/.

Ask Janet

Janet: Under Ohio tenant-landlord law, if a tenant pays rent monthly and doesn’t have a written lease that says something else, she is considered a month-to-month tenant. Either the tenant or the landlord may end the tenancy by giving the other a 30-day notice without giving any reason. That is why most tenants prefer the security of a year lease.

Aleah: What can you do when the landlord continues to raise your rent amounts?

Janet: Ohio law has no provision for rent control. A landlord can raise the rent at the end of a lease or by giving a 30-day notice to a month-to-month tenant. The tenant’s only recourse is to move to less expensive housing. The exception is subsidized housing where Federal rules determine the tenant’s share of the rent based on household income.

Lisa: I have lived in my apartment complex for over five years. A new management company recently took over and is placing some people on month-to-month leases and letting some people stay on yearly leases. How can a landlord display favoritism like that in their tenants?

Janet: Most tenants begin their yearly leases at the time of move-in, but everyone moves in at different times. When your lease ends, the new management company could set different rules because your lease has expired. If a neighbor moved in at a different time, his lease is good until it expires. This difference in timing often explains why neighbors are paying different rental rates or have different terms. However, if you think there is favoritism based on something else, please call HOME so we can see if there may be illegal discrimination.
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Your United Way Agency Partner
Housing Opportunities Made Equal

NEWS FROM HOME
Winter 2015

Top Honor

HOME Education Director Deb Jetter was recognized Jan. 15 before an audience of about 750 Realtors and their associates as the Cincinnati Area Board of Realtors’ first-ever “Affiliate of the Year.” The awards committee led by Roger Leist of Leist Realtors noted Deb’s ongoing commitment to developing training programs and teaching real estate professionals about fair housing and related housing industry standards.

Save The Date

Friday, April 17, 2015
11:30AM to 2:00PM
Fifth Third Convening Center
United Way Building
2400 Reading Road, Cincinnati, Ohio 45202

Fair Housing Month Luncheon Celebration
Featuring Guest Speaker
Dr. LaVaughn Henry
Vice President and Sr. Regional Officer
Cincinnati Branch, Federal Reserve Bank of Cleveland