



Housing



Center

News

Housing Center Sues K&D Group, Stonebridge Apartments & Condos:

Alleges Discrimination Against Disabled in Federal Lawsuit

The Housing Research & Advocacy Center filed a civil rights lawsuit in federal court against the K&D Group, Inc., and others involved in the design and construction of the Stonebridge apartments and condominiums. The lawsuit alleges that the defendants violated federal and state accessibility laws in designing and building the massive upscale residential and commercial development, located on the west bank of the Cuyahoga River in downtown Cleveland. In addition to the K&D Group, the lawsuit names Stonebridge Building & Design, Inc., Stonebridge Waterfront, Inc., and Berardi + Partners, Inc., the architects for the project, as defendants.

Investigations by the Housing Center and the Ohio Civil Rights Commission (OCRC) revealed numerous and substantial violations of the federal Fair Housing Act and the Ohio Revised Code at each of the apartment and condominium buildings constructed or under construction at Stonebridge. Stonebridge is the largest single residential project in Cleveland in 97 years, with more than 2,000 residential units planned. In

February, the Ohio Civil Rights Commission found probable cause that the defendants had violated Ohio civil rights laws in building the housing complex based on a complaint filed by the Housing Center.

The lawsuit states that the units at Stonebridge have steps, inaccessible bathrooms and kitchens, passageways and doors that are too narrow for wheelchairs, light switches and electrical outlets beyond the reach of wheelchair users, as well as other features that prevent people with mobility impairments from using and accessing the residential units. In addition, Defendants constructed common restrooms and recreational facilities in such a way as to make them inaccessible to wheelchair users.

The complaint further states that Defendants have engaged in a continuous pattern and practice of discrimination against people with disabilities in violation of the federal Fair Housing Act and the Ohio Revised Code by designing and constructing multi-family housing in such a manner as to deny people with disabilities full access to and the

use of these facilities. The lawsuit seeks a court order requiring the defendants to modify the buildings to bring them into compliance with federal and state laws and prohibiting future discrimination by the defendants, as well as monetary damages to compensate victims. It also asks the court to order the defendants to stop construction on the building that is not completed until they can show plans to bring it into compliance with the law.

The Housing Center is represented in the case by Relman & Dane, a civil rights law firm based in Washington, D.C., with an office in Perrysburg, Ohio, and Cooper & Walinski, an Ohio-based firm with offices in Cleveland and Toledo.

According to 2007 data from the U.S. Census Bureau, there were 202,749 individuals in Cuyahoga County with a disability, including 16,252 between the ages of 5 and 15, 111,947 aged 16-64, and 74,550 aged 65 and over. These numbers are expected to increase as the population ages, as wounded veterans return from Iraq and Afghanistan, and as medical care allows people with disabilities to live longer and fuller lives.

Housing Center Releases Lake County Community Lending Factbook

The Housing Center's report, the "Lake County Community Lending Factbook," provides detailed information on home mortgage lending in Lake County and 22 of its major geographic subdivisions. In the report, the Housing Center found that in Lake County, African Americans were denied single-family mortgage loans 55% of the time, compared to 30% of the time for non-Hispanic whites and 46% for Hispanics. High-cost subprime loan rates revealed similar disparities. African Americans in Lake County were more than twice as likely to obtain a high-cost loan as non-Hispanic whites (28.57% of the time compared to 13.57%), while Hispanics obtained high-cost loans 14.08% of the time.

The report further found that:

- African Americans were denied at the highest rates in Painesville Township/Grand River (71.43% of the time), Hispanics/Latinos were denied most often in Eastlake (58.82%), Asians were denied most often in Painesville (57.14%), and non-Hispanic whites were denied at the highest rates in Waite Hill (46.43%).
- Denial rate disparities between Hispanics/Latinos and non-Hispanic whites were greatest in Painesville, where Hispanics/Latinos were denied loans more than one and one-quarter times the rate of non-Hispanic whites (50.00% compared to 39.21%).
- Denial rate disparities between African Americans and non-Hispanic whites were greatest in Mentor, Painesville Township/Grand River, and Willoughby. In Mentor, African Americans were denied loans at nearly two and one-half times the rate of non-Hispanic whites (66.67% compared to 27.70%).

Samantha Hoover, lead author of the study, stated, "These racial and ethnic disparities found in lending patterns throughout Lake County threaten and limit the access of minorities to fair and equal housing opportunities." The report is available in its entirety on our website: www.thehousingcenter.org.

Housing Center Enforcement Update

Case Settlements

In the past three months, the Housing Center resolved two cases that arose from our testing enforcement program. In each of the cases, testing by the Housing Center uncovered disparate treatment based on race. In the first case, we conducted testing of a landlord based on a complaint of possible discrimination received by our office. The testing revealed that the landlord did not return any of the 10 phone calls from African American testers, while white testers' calls were returned and they were able to view the unit. The settlement requires the landlord to refrain from discrimination in the future, undergo training in fair housing law, and pay damages of \$5,000.00. In the second case, African American testers were told that the advertised unit was no longer available, while the white testers were shown the unit, were given applications and invited to apply. The settlement requires the landlord to refrain from

discrimination, undergo training in fair housing law, and pay damages.

New Complaints

In July, the Housing Center filed two new charges with HUD and the OCRC regarding illegal internet advertising. In one case, a landlord advertised a Lakewood apartment on the website craigslist.com, stating "Adults Only!" In the other case, the landlord posted an ad on the website "Houses for Rent" (www.housesforrent.ws), stating "No Children." Federal and state law prohibit expressing a preference or limitation based on an individual's membership in a protected class, such as their familial status, and both the publisher and the person placing the advertisement are potentially liable. In November 2008, the Housing Center had filed 53 charges of discrimination against housing providers and internet companies for internet-based advertising. The majority of those charges are still pending.

The Housing Center has filed a charge of discrimination against Village of the Falls, located in Olmsted Falls Township. The charge states that the assisted living facility is not in compliance with federal and state accessibility requirements for multi-family housing. Among the violations noted by the Housing Center's initial investigation is a lack of handicapped parking, entrance doors that require too much force to open, and common room doors that did not have adequate clearance. The case was brought to our attention by a resident, who uses a scooter, who would become trapped in the laundry room because there was not adequate clearance for her to open the door from the inside. After informal attempts to resolve the case with the facility were unsuccessful, the Housing Center filed a charge of discrimination with HUD and the OCRC in July.

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Mission:

To eliminate housing discrimination
and assure choice in Northeast Ohio
by providing those at risk with effective
information, intervention and advocacy.

Fair Housing is a right of every American and to eliminate discriminatory practices requires resources from committed individuals like you. Your contribution is a vital part of the Housing Center's operations, and any amount is welcome. To make a donation, please mail a check made payable to the Housing Center to: 3631 Perkins Avenue, Ste. 3A-2, Cleveland, Ohio 44114. On the memo line, please write "donation."

Donations can also be made on the Housing Center website, www.thehousingcenter.org or through Greater Cleveland Community Shares, www.communityshares.org.

Spotlight on HRAC

The Housing Center is proud to welcome its newest board member, Linda Graves. Linda is a Realtor® with RE/MAX. Previously, Linda worked for Realty One, where she served on its Diversity Committee, and for Ohio Bell/Ameritech. Linda obtained her master's degree in psychology with an emphasis on diversity management from Cleveland State University and serves on the Commission to End Racism at the Christ Episcopal Church. She has a passion for religion and is committed to fighting racism and agism.



Bishop Lennon & Jeff Dillman

The Housing Center received a Diocesan Community Grant from the Catholic Campaign for Human Development & Catholic Relief Services. The grant was awarded to allow the Housing Center to continue its research and advocacy on payday lending. The Housing Center's three previous reports on payday lending in Ohio were also supported in part by grants from CCHD and are available on our website.

Housing Center Staff News



The Housing Center welcomes its new Fair Housing Specialist, Stephanie Surratt. Stephanie is an attorney who grew up in Cleveland. She earned a bachelor's degree in Business Administration from The George Washington University at Mount Vernon College and her J. D. from Syracuse University College of Law. Previously, she worked for the Lesco Corporation in Cleveland and, prior to that, for the Commonwealth of Kentucky, as Acting Executive Director/State EEO Coordinator for the Personnel Cabinet. Stephanie will manage complaints and assist with the testing coordination, research, and trainings.



The Housing Center is sad to say goodbye to our summer intern, Amanda "Andie" Armstrong. Andie came to the Housing Center through the Legal Humanitarian Aid Grant, awarded through the Lilly Project at the College of Wooster. Andie will be returning to the College of Wooster this fall as a junior to pursue her degree in sociology, with a minor in history, political science and pre-law. Andie's previous internships include the Ohio Attorney General's Office and the Wayne County Law Library.

**HOUSING
RESEARCH & ADVOCACY
CENTER**

A New Era of Housing Justice

3631 Perkins Avenue
Suite 3A-2
Cleveland, OH 44114
Phone: 216-361-9240
Fax: 216-426-1290

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Summer 2009

Upcoming Events

**Shaker Heights Landlord/
Tenant Training Seminar**
Saturday, September 12, 2009
8:45 a.m. - 4:00 p.m.
Stephanie Tubbs Jones
Community Building
3450 Lee Road
Shaker Heights
6 CEU's available

**Fair Housing Law for
Realtors Seminars:**
• Thursday, September 10, 2009
9:30 a.m. - 12:30 p.m.
North Olmsted
• Wednesday, October 7, 2009
9:30 a.m. - 12:30 p.m.
Shaker Heights
3 CEU's available

**Fair Housing Law for
Attorneys Conference**
December, 2009
8:30 a.m. - 4:00 p.m.
TBD
6 CLE's available

The Housing Center conducts a number of fair housing trainings for landlords and realtors, as well as for individuals. We are also available to speak at various meetings. For information about any of our events, or to register, please contact the Housing Center's Education & Outreach Coordinator, Darlene English, at 216-361-9240.

Donations are a vital part of the Housing Center's operations, and any amount is welcome. To make a donation, please mail this tear-off form with a check made payable to the Housing Center to: 3631 Perkins Avenue, Ste. 3A-2, Cleveland, Ohio 44114. Donations can also be made on the Housing Center website, www.thehousingcenter.org or through Greater Cleveland Community Shares, www.communityshares.org.

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