

COMMITTED TO FAIR HOUSING FOR ALL

WINTER 2016

Widespread Housing Discrimination Among LGBTQ Community, New Report Says

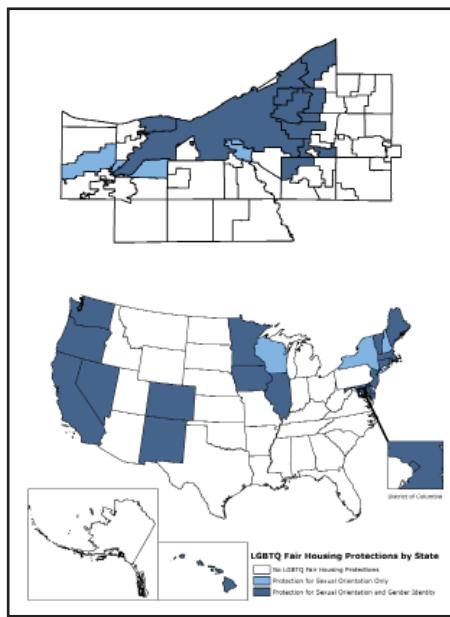
Housing discrimination against the Lesbian, Gay, Bisexual, Transgender, and Queer (LGBTQ) community is widespread throughout Cuyahoga County. The Housing Research & Advocacy Center's (The Housing Center) newest report, "Sexual Orientation and Gender Identity Housing Discrimination in Cuyahoga County" assesses the prevalence of housing discrimination in rental housing in Cuyahoga County based on sexual orientation and gender identity. The study reveals that same sex couples experienced housing discrimination 35.3% of the time while people who identified as transgender experienced housing discrimination 32.1% of the time. Additionally, LGBTQ persons of color experienced higher rates of housing discrimination than their white counterparts.

While the federal Fair Housing Act does not explicitly protect LGBTQ people from housing discrimination, the U.S. Department of Housing and Urban Development (HUD) has expanded fair housing policy to acknowledge housing discrimination on the basis of non-conformity with gender stereotypes as sex discrimination. The State of Ohio does not provide protections from LGBTQ housing discrimination; however, in Cuyahoga County, 15 municipalities have enacted fair housing ordinances banning housing discrimination on the

basis of sexual orientation and 11 have done so on the basis of gender identity.

The Housing Center also engaged in outreach and education to the LGBTQ community as well as complaint intake, investigation and advocacy. During the grant period, the Housing Center received 22 total complaints of LGBTQ housing discrimination. The Housing Center filed 12 total complaints against housing providers due to evidence of discrimination revealed in the study: 9 on the basis of gender identity and 3 on the basis of sexual orientation.

Jurisdictions with Sexual Orientation and Gender Identity Fair Housing Protections in Cuyahoga County and the U.S.



The Housing Center recommends strengthening state and local fair housing laws to prohibit housing discrimination on the bases of sexual orientation and gender identity. Other recommendations include: filing and tracking outcomes of HUD-investigated complaints of sexual orientation and gender identity housing discrimination as sex-based housing discrimination; educating housing providers on their responsibilities under local fair housing law; educating individuals on their rights under federal, state, and local fair housing laws; and vigorously enforcing prohibitions of sexual orientation and gender identity housing discrimination.

This study and report were supported through a grant by the Cleveland Foundation. The full report can be found on The Housing Center's website, www.thehousingcenter.org.org under research and reports.

Judge Orders Notorious Landlords to Pay \$4 Million for Housing Discrimination Complaint

It is your worst nightmare. You find an apartment in the neighborhood of your choice, and the school district that would best serve your child. You are excited because the apartment comes with a stove and a refrigerator. You enter into an oral lease agreement, are promised the bathroom and carpet will be cleaned prior to your moving in, and you hand over your security deposit and first months' rent. Upon moving in, you discover the bathroom and carpet have not been cleaned and the stove and refrigerator have been removed. Your complaints are met with hostility and no resolution. You continue to complain about the mold, but the repair is never made. This was the situation Brianna Bowers found herself in. Then her son tested positive for lead poisoning. The landlords, brothers Derek & Graig Brown began threatening Brianna after receiving a letter from the Ohio Department of Health requesting an inspection of the property. Derek then proceeded to turn off

her electricity and change her locks. It turns out this was the standard pattern and practice of the Brown brothers. They had done similar things to Mina Gray and Me'Chelle Thompsons, and 25 other female tenants. The women initially sought out help from The Legal Aid Society of Greater Cleveland.

Legal Aid contacted local fair housing advocate and attorney with Giffen & Kiminski, Diane Citrino, who filed fair housing complaints on behalf of the three female tenants based on sex and familial status. Judge Donald Nugent awarded the women a \$4,050,000 settlement based on discriminatory treatment received from their landlords. Brothers Derek and Graig Brown were found to have violated federal and state fair housing laws against Mina Gray, Brianna Bowers and Me'Chelle Thompsons. The women, who all had children, complained of being harassed and threatened soon after moving into an apartment owned by the Brown Brothers. They were also found to have violated federal

and state RICO laws, based on the corrupt activity of unlawful debt collection.

Derek and Graig Brown routinely entered oral lease agreements with single women with small children and proceeded to take their money, then made the housing unavailable by changing locks, stealing their property, threatening physical abuse and trying to intimidate them.

It is a violation of fair housing laws to "refuse to negotiate for the sale, rental of, or otherwise make unavailable or deny, a dwelling to any person because of sex." {42 U.S.C. 3604(a)} The law also prohibits discrimination against any person in the terms, conditions, or privileges of rental of a dwelling, or in the provision of services or facilities in connection with or because of sex, (among other protected classes). {42 U.S.C. 3604(b)} Further, the Brown brothers executed self-help evictions, a violation of Ohio's Landlord Tenant Law.

Housing Center Advocacy Ensures Fair Housing

The business of landlord requires compliance with all applicable laws, but many housing providers in the private market are unaware of important rules regarding rental applications. The Ohio Revised Code {ORC 4112.02(H)(8)} prohibits the making of any inquiry, or eliciting any information concerning someone's protected class status, that is, their race, color, religion, sex, military status, familial status, ancestry, disability or national origin in connection with the sale or lease of any housing. The only exception being the collection of specific information as required for the purpose of monitoring compliance. Therefore language in rental applications regarding for example, the number of children, someone's

disability status, or citizenship status may be considered discriminatory. Many housing providers use generic rental applications found online that often run afoul of state fair housing laws. As a function of its testing program, The Housing Center routinely reviews rental policies and works to education providers to ensure an open and fair housing market. When we identify a potential fair housing issue in a rental application, The Housing Center will reach out to the landlord to provide fair housing education and work with the landlord to update their applications and policies. Last year, The Housing Center revised 32 rental policies affecting over 12,000 area households.

Thank You!

The Housing Center greatly appreciates Third Federal Savings & Loan Bank for its continued support and commitment to equal opportunity in housing for all protected classes. Third Federal's sponsorships allow The Housing Center to further its mission by advocating for more people in need of safe, affordable, accessible housing and promoting everyone's right to fair housing.



Housing Research & Advocacy Center

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Mission:

We promote fair housing and diverse communities, and work to eliminate housing discrimination in Northeast Ohio by providing effective research, education, and advocacy.

Values:

Equality, Respect, Honesty, Attention, Acceptance, Commitment, Dedication, Knowledge, and Understanding

Congratulations Laura Swiney

The Housing Center is pleased to announce that Laura Swiney has been promoted to full time Investigations Coordinator. Laura had served as the part time Investigations Coordinator after joining the Housing Center as an Enforcement Intern. Her responsibilities include conducting intakes of fair housing complaints and fair housing testing, as well as researching local housing patterns and laws to assist with reports dealing with housing discrimination.



Laura earned a Master of Art in Clinical Psychology from Cleveland State University and holds a Bachelor of Art in Psychology from Ursuline College. Previously, she taught sociology and psychology at Lakeland Community College. Her experience includes a number of positions in the social services, including a research assistantship for Cleveland State's Diversity Management Program, a Victim Advocate for the Lake County ADAMHS Board, and a Community Psychiatric Support Worker for Pathways, an outpatient mental health facility.

Welcome Lenore Healy

The Housing Center welcomed Lenore Healy as the Research Associate. Her responsibilities include conducting and assisting in research related to fair housing and fair lending patterns and coordinating fair housing testing. Lenore earned her Bachelor of Art in English Literature, minoring in Philosophy, from Franciscan University of Steubenville. She earned a Master of International Development, concentrating on Human Security and Latin American Social and Public Policy, from the University of Pittsburgh in 2015.



Prior to joining the Housing Center, Lenore provided fundraising and marketing support as Development Assistant at Hôpital Albert Schweitzer Haiti. She has also held a number of internship positions with diverse nonprofits, including working with marginalized families in Ecuador from 2011-2012 with Heart's Home International, youth education and advocacy at World Youth Alliance, political fundraising at Cold Spark Media and as research assistant intern at the Acton Institute.

Welcome Peter Saudek

The Housing Center also welcomed Peter Saudek as part-time Investigations Coordinator. Peter will work with the Enforcement Team and assist with fair housing investigations, enforcement, and advocacy activities. Peter will be responsible for complaint intake, counseling individuals on fair housing remedies, and assisting with education and outreach initiatives. A recent graduate of Oberlin College, Peter earned a Bachelor of Art in Environmental Studies with a minor in Politics. As a President's Public Service Fellow at Oberlin, Peter served as a community organizer, focused on increasing youth access to technology. As a LIFT intern in Washington, D.C., he worked with Latino immigrants to secure affordable housing and employment. Peter is fluent in Spanish, after having lived in Ecuador.





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Printed editions will be available by request only.



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UPCOMING FAIR HOUSING EVENT

SAVE THE DATE!

11th Annual Fair Housing Reception: COLLABORATE, ADVOCATE, CELEBRATE!

Thursday, April 28, 2016

5:30-7:30 p.m.

The Gallery at Trinity Commons

2230 Euclid Avenue

Cleveland, OH 44115

Tickets: \$30 each

Honoring our partner:

The Cleveland Tenants Organization