

Stark County Fair Housing Department

Division of Stark County Regional Planning Commission



Fair Housing Newsletter

April – July 2024

**APRIL IS
FAIR HOUSING
MONTH**

1968 - 2024

56
years

A Quarterly Insight into Housing Discrimination



**HOUSING DISCRIMINATION IS
ILLEGAL!**



PRESIDENT LYNDON B. JOHNSON SIGNS THE CIVIL RIGHTS ACT INTO LAW

April 11, 1968

April marks the 56th anniversary of the Fair Housing Act. President Johnson signed the Civil Rights Act of 1968 (also known as the Fair Housing Act) into law seven days after Dr. Martin Luther King's assassination. The law covers all housing transactions including the rental, sales, appraisal, lending, zoning, home insurance, advertisement, development, land-use and financing.



56 Fair Housing Act
Years 1968 ~ 2024

Celebrating Equality



EQUAL HOUSING
OPPORTUNITY



**Protected
Classes**

RACE

COLOR

SEX

RELIGION

**NATIONAL
ORIGIN**

**FAMILIAL
STATUS**

DISABILITY

HISTORY OF FAIR HOUSING LAW

1866

- **Civil Rights Act of 1866** - Prohibits discrimination on the basis of race and color. All citizens of the United States shall have the same right as white citizens to inherit, purchase, lease, sell, hold, and convey real and personal property.

1964

- **Title VI of the Civil Rights Act** - Prohibits discrimination on the basis of race, color, or national origin in programs and activities receiving federal financial assistance.

1968

- **Title VIII of the Civil Rights Act** - Also known as the Fair Housing Act. Prohibits discrimination concerning the sale, rental, and financing of housing based on race, color, religion, and national origin.

1973

- **Section 504 of the Rehabilitation Act** - Prohibits discrimination based on disability in any program or activity receiving federal financial assistance.

1974

- **Section 109 of Title I of the Housing and Community Development Act** – Law was amended. Prohibits discrimination on the basis of sex.

1988

- **Fair Housing Amendments Act** - On September 12, 1988, President Ronald Reagan signed this law (FHAA) to include familial status and handicap as a protected class.

HISTORY OF FAIR HOUSING LAW

1990

- **Title II of the Americans with Disability Act** - Prohibits discrimination based on disability in any program provided or made available by public entities.

1995

- **Housing for Older Persons Act** - Exempts “housing for older persons” from the Fair Housing Act’s prohibition of discrimination against families with children in two categories: 100% of the occupants must be 62 years of age or older or 80% of the occupied units must be occupied by at least one person who is 55 or older.

2016

- **Use of Criminal Records** - HUD issued guidance on the Use of Criminal Records by Providers of Real Estate-Related Transactions. A denial based on a criminal record could have a disparate impact on particular individuals. Such policy is unlawful under the FHA if it is not necessary to serve a substantial, legitimate, nondiscriminatory interest of the housing provider.

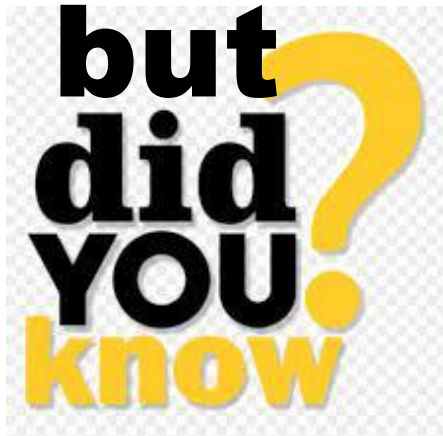
2021

- **Executive Order 13988**
On January 20, 2021, President Joe Biden issued Executive Order that states all persons should receive equal treatment under the law regardless of their gender identity or sexual orientation. Federal protections regarding sex discrimination in housing have been expanded to include sexual orientation and gender identity.

You know...

The Fair Housing Act prohibits discrimination on the basis of race, color, sex, religion, national origin, familial status and disability.

The law protects individuals in all housing-related transactions, including the following:



there are additional
Unlawful Discriminatory Acts!

- Discriminatory statements or advertising
- Sexual harassment
- Denial based on sexual orientation or gender identity
- Steering minorities to certain areas of town
- Steering families with children to certain floors or buildings
- Blockbusting (persuading owners to sell property cheaply because there are people of another ethnic or social group moving into the neighborhood, and then profiting by reselling at a higher price)
- Redlining (denial of services such as mortgages and other financial services to residents of certain areas, based on their race or ethnicity)
- Coercing, intimidating, interfering or retaliating with anyone exercising his/her fair housing rights
- Evicting because you become pregnant

- Denying housing based on a criminal record
- Charging additional rent because children are in family
- Refusing to make a reasonable accommodation for persons with disabilities
- Refusing to allow persons with disabilities to make reasonable modifications
- Making zoning or land use decisions that discriminate against protected persons
- Restricting affordable housing because of the disability or race of residents
- Appraisers deflating property values
- Restricting group homes, shelters, or supportive housing because residents have mental disabilities

FAIR HOUSING A TO Z

Assistance animal in a no-pets building is a reasonable accommodation for persons with disabilities landlords must make.

Denying housing because you have a child or a disability is illegal.

Blanket bans on anyone with a criminal history is Discriminatory.

Everyone deserves a fair chance!

Color is a Protected Class.

Fair Housing Act prohibits discrimination in home sales, financing and rentals.

Gender identity and sexual orientation is protected by the Fair Housing Law.

HOUSING
DISCRIMINATION
IS ILLEGAL!



Inquiring about family status by asking an applicant how many children they have or whether they are pregnant is unlawful.

Justice and Fair Housing for all regardless of a person's race, color, sex, religion, national origin, disability or familial status.

King (Dr. Martin Luther King) was assassinated seven days before the Fair Housing Act was signed into law.

LGBTQ+ individuals can now file a complaint if they believe they have been discriminated against in any housing-related transaction.

Military Status is a Protected Class in the State of Ohio.

National origin is a Protected Class.

Offering different terms or conditions in the sale or rental of housing is Discriminatory.

President Lyndon B. Johnson signed the Fair Housing Act into law.

QUESTIONS ABOUT FAIR HOUSING? contact the Stark County Fair Housing Department.

X-TRA X-TRA READ ALL ABOUT IT! DISCRIMINATION IS ILLEGAL!

Race and religion are Protected Classes under the Fair Housing Act.

Steering families to certain floors or buildings is unlawful.

Treating someone differently because they have a disability is illegal.

Your Choice and Your Right to Live where you Can Afford!

Unwanted sexual advances by a landlord is against the law.

Violating Familial Status Laws out of concerns for safety is illegal.

Where you live matters. Not all neighborhoods have the same opportunities.

ZIP CODES SHOULD NOT DETERMINE A CHILD'S FUTURE.

2024 Stark County Governmental Law Seminar

Valerie Watson, Fair Housing Manager, was a presenter at the Governmental Law Seminar on March 2, 2024. Watson spoke on Fair Housing and Zoning.

The Fair Housing Act prohibits local government from making zoning or land use decisions or implementing land use policies that exclude or otherwise discriminate against protected persons, including individuals with disabilities. Local government should:

- Avoid exclusionary zoning - restrictions based on who will be living there.
- Avoid restricting affordable housing because of the disability or race of residents.
- Avoid restricting group home, shelters, or supportive housing because residents have mental disabilities.

FHA mandates that zoning officials “change, waive, or make exceptions in their zoning rules to afford people with disabilities the same opportunity to housing as those who are without disabilities.”



CITY OF SPRINGFIELD, ILLINOIS ORDERED TO PAY \$408,637 FOR ENFORCING DISCRIMINATORY SPACING ORDINANCE

On December 8, 2023, a federal court in Illinois entered a permanent injunction against the City of Springfield, Illinois, prohibiting it from enforcing a local spacing ordinance that bans people with disabilities from living in homes within 600 feet of one another if the home has five or fewer residents.

In 2014, three residents with intellectual and physical disabilities moved into a single-family home in Springfield where they received community residential services from Individual Advocacy Group (IAG). Such arrangements permit residents with disabilities to live in an integrated community setting rather than an institution. Even though the home was operating in compliance with state requirements, the city attempted to shut it down by relying on a local spacing ordinance that prohibited two homes for individuals with disabilities from operating within 600 feet of one another. The Justice Department filed suit against the City of Springfield in 2017.

A jury determined that the city should pay \$162,000 in compensatory damages to the residents and their guardians and \$131,000 in compensatory damages to IAG. The court further permanently enjoined the city from taking any action against the owners or residents of the home, ordered the city to undergo fair housing training and awarded \$53,654.50 in prejudgment interest on the jury's damages award to IAG. The court also awarded the United States \$61,982.50 in civil penalties against the city for violating the Fair Housing Act. Assistant Attorney General Kristen Clarke of the Justice Department's Civil Rights Division said "The court's decision makes clear that there are real consequences to cities and other municipalities when they unlawfully and immorally exclude people with disabilities from residential neighborhoods."



It is a violation of the FHA to require group homes with disabled persons to maintain a certain distance from other such homes

It is Discriminatory for Local Government to . . .

- ❖ impose restrictions on group homes because residents have mental disabilities
- ❖ require additional studies or procedures when considering a development that may be occupied by members of a protected class (i.e., studies that do not get imposed on other types of development)
- ❖ deny land use approval for affordable housing because of the disability or race of residents
- ❖ require notification or a public hearing **only** for the development of homes which might target protected classes
- ❖ impose restrictions on housing because of alleged public safety concerns that are based on stereotypes

It is Discriminatory for Local Government to . . .

- reject a proposed housing development in response to neighbors' fears that certain protected classes will occupy such housing
- require group homes of up to four unrelated disabled persons to maintain a certain distance from other such homes
- refuse to allow an exception or variance to a setback requirement as a reasonable accommodation for a disabled resident
- delay or temporarily suspend because residents are members of the protected classes
- have burdensome or an expensive process for residents to apply for a conditional use
- refuse to make reasonable accommodations for persons with disabilities, in land use and zoning regulations, policies and procedures



Fair Housing and
ZONING LAWS



Fair Housing Penalties for 2024

On February 23, 2024, HUD published inflation-adjusted civil penalty amounts for individuals or entities found to have violated the Fair Housing Law. Under the revised amounts, a violator ("respondent") can be assessed a maximum civil penalty of **\$25,597 for a first violation** of the Fair Housing Act. If the respondent has violated the Fair Housing Act in the **previous five years** and are again in violation, they can be fined a maximum of **\$63,991**, and an amount not exceed **\$127,983** if the respondent has committed **2 or more discriminatory housing practices during a 7-year period**.

These civil penalty amounts are in addition to actual damages and attorney's fees and costs that may be awarded to someone who has experienced housing discrimination.

Prior to this adjustment, the 2023 penalties were \$24,793 for a first violation; \$61,982 for a second violation; and \$123,965 for a third violation.



Discriminating \$ is Costly \$

The Fair Housing Act sends the message that discrimination in housing, zoning and land use decisions is illegal. The Stark County Fair Housing Department (SCFHD) investigated the following cases. Most are settled out of court. In addition to any court order injunctive relief, some cases have resulted in sizeable damages, awards, agreements and/or settlements for the Complainants.

Jackson Twp. - Stark County, Ohio Civil Rights Commission, U.S. Department of Justice, and six individual plaintiffs settled claims that the owners of four Jackson Township complexes regularly discriminated against both African Americans and families with children. The owners allegedly instructed managers to lie to African Americans and families with children about unit availability. Plaintiffs settled for **\$850,000** with a consent order requiring extensive injunctive relief.



Alliance - A divorced mother was allegedly denied the opportunity to rent because she had a teenage son. SCFHD settled the claim prior to a lawsuit. The Complainant received **\$22,500** from the property owner.

North Canton - A Housing Provider agreed to pay **\$4,000** to settle a claim that he refused to reasonably accommodate a tenant with a disability by waiving policies regarding charging fees for an emotional support animal.



Navarre - A Landlord allegedly evicted a tenant because he obtained custody of his 3 year old son. SCFHD reached a **\$14,500** agreement for Complainant prior to a lawsuit.

Canton Twp. - The owner of a Canton Township complex agreed to pay **\$10,000** for allegedly violating the disability protections of the Fair Housing Act. He allegedly denied a man in a scooter the opportunity to rent a 2nd floor apartment. The owner supposedly said, "This apartment is not feasible for you." SCFHD settled case prior to any lawsuit.

Jackson Twp. - A property management company allegedly refused to waive a \$200 pet deposit and \$25 monthly pet fee for a disabled person in violation of the FHA. The Housing Providers agreed to pay **\$7,000**, obtain fair housing training and adopt policies that would accommodate persons with disabilities. Stark County Fair Housing Department reached an agreement for the Complainant prior to a lawsuit.

*She fought for her country.
Now she's fighting **housing
discrimination** here at home.*



Sharon defended the red, white and blue and then was turned down for housing because she's BLACK and in the military. After meeting her, the rental agent told Sharon that the apartment she wanted to see was rented— even though it was still available. Denying housing because of race or military status is against the law. In Ohio, it is illegal to deny housing on the basis of **race**, color, sex, religion, national origin, disability, familial status, **military status** and ancestry. The only way to stop housing discrimination is to report it. If you believe you may be a victim of housing discrimination, contact Stark County Fair Housing Department. **Fair Housing is the Law!**



To Manager ☐ **URGENT**

Date March 20 Time 10:30 A.M.
P.M.

WHILE YOU WERE OUT

From Kelsey and LeRoy

of _____

Phone 555-2024

Area Code Number Ext.

Fax _____

Area Code Number

Telephoned	☒	Please Call	☐
Came to see you	☐	Wants to see you	☐
Returned your call	☐	Will call again	☐

Message _____

Inquired about 2 bedroom apartment

2 incomes/2 kids

Sounds Black

Signed _____

SOUNDS LIKE DISCRIMINATION



What matters is how you look on paper, not how you sound over the phone. Judging you by your race or color instead of your qualifications is discriminatory. It's unfair, it's painful and it's against the law. The best way to stop discrimination is to report it.

If you believe you may be a victim of housing discrimination, contact Stark County Fair Housing Department.



FAIR HOUSING...



It's Not
Just Words,

*It's the **Law!***

WE NEED YOU!

BECOME A FAIR HOUSING TESTER

Fair Housing testers help ensure that people are not denied housing due to unlawful discrimination by meeting with housing providers and documenting the details about their experiences.

Tester Compensation

\$50 stipend per completed on-site test

\$20 stipend per completed telephone or email test

Testers are not employees and are utilized on an as needed basis.

If you are passionate about civil rights, oppose discrimination and believe that all people should have equal opportunity in housing, call us at (330) 451-7775 or email us at vjwatson@starkcountyohio.gov. Stark County Fair Housing Department needs people from ALL backgrounds to test effectively for housing discrimination. Experience with renting housing is helpful, but not required.

Skills we look for in a tester:

- At least 18 years old
- Good oral and written communication skills
- Attention to detail and accuracy
- Dependable
- No felony convictions
- Never convicted of fraud or perjury
- Good active listening and observation skills
- Can act the role of a home seeker in a variety of situations
- Able to be reached by cell phone/email
- Reliable transportation

If you or someone you know has been discriminated against, contact:

Stark County Fair Housing Department

Valerie Watson, Fair Housing Manager

Phone: (330) 451-7775

Email: vjwatson@starkcountyohio.gov

Do you think you have been discriminated against?

Don't Wait

Don't Hesitate

Let Us



Call Stark County Fair Housing!



The Stark County Regional Planning Commission administers the Fair Housing Program on behalf of the Stark County Commissioners

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