

Stark County Fair Housing Department

Division of Stark County Regional Planning Commission



Fair Housing Newsletter

August - November 2023

A Quarterly Insight into Housing Discrimination



*Fair
Housing
Opens
Doors!*

**HOUSING
DISCRIMINATION
IS ILLEGAL!**

X X X ✓ X X X



Are you a victim of
housing discrimination?

Yes ☐

No ☐

If You Believe Your Rights Have Been Violated, Contact Stark County Fair Housing at (330) 451-7775

**Under the Fair Housing Act, it is
Against the Law to:**

- ❖ Refuse to rent or sell housing
- ❖ Say housing is unavailable when in fact it is
- ❖ Show apartments or homes only in certain neighborhoods
- ❖ Set different terms, conditions, or privileges for sale or rental of a dwelling
- ❖ Provide different housing services or facilities
- ❖ Advertise housing to preferred groups of people only
- ❖ Refuse to provide information on mortgage loans, deny a mortgage loan, or impose different terms/conditions on a mortgage loan
- ❖ Deny property insurance
- ❖ Conduct property appraisals in a discriminatory manner
- ❖ Refuse to make reasonable modifications to a dwelling or common use areas, at your expense, if it may be necessary for you to fully use the housing. (Where reasonable, a landlord may permit changes only if you agree to restore the property to its original condition when you move.)
- ❖ Refuse to make reasonable accommodations in rules, policies, practices or services if it is necessary to use the housing on an equal basis with nondisabled persons
- ❖ Fail to design and construct housing in an accessible manner
- ❖ Harass, coerce, intimidate, or interfere with anyone exercising or assisting someone else with his/her fair housing rights

FAIR HOUSING

FOR ALL

How Do You Recognize HOUSING DISCRIMINATION?



It is Unlawful to Discriminate in Housing Based on...

- Race
- Color
- National Origin
- Religion
- Sex (including gender identity and sexual orientation)
- Familial Status (families with children under the age of 18, or who are expecting a child)
- Disability



PHOTOS FROM MASSILLON'S FAIR HOUSING MONTH CELEBRATION!



Massillon Commemorates the 55th Anniversary of the Fair Housing Act

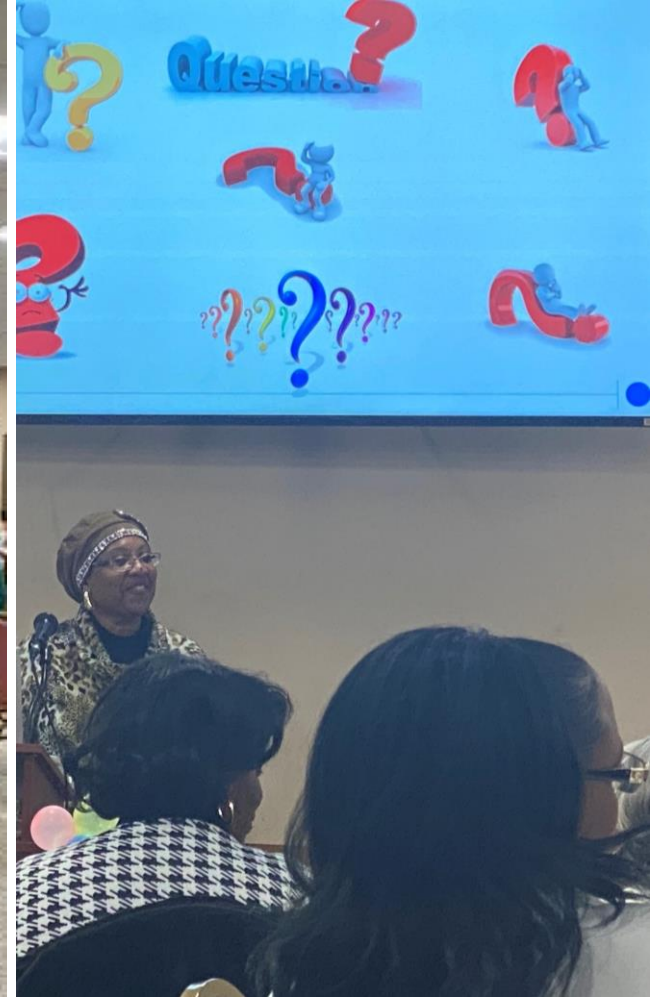


Valerie Watson, Fair Housing Manager for the Stark County Fair Housing Department, was the keynote speaker at Massillon's Fair Housing Luncheon on April 25, 2023. The theme for the day was: "Fair Housing, Embracing Challenges and Changes in 2023." Watson spoke on changes in the Fair Housing Act, rental increases, and the lack of landlords accepting vouchers. Approximately 75 people were in attendance.





Attendees enjoy their lunch prior to the keynote presentation



Valerie Watson, Fair Housing Manager for Stark County Fair Housing Department, concludes keynote presentation with Q & A

Massillon's Fair Housing Luncheon

Celebrating the
55th Anniversary of the

Fair Housing Act

1968 ~ 2023

Ms. Watson (center) with Community Development Staff
from Stark County Regional Planning Commission
L to R: Jill Ross, Gwendolyn Arthur,
Diane Sheridan and Lisa Snyder



Valerie Watson (pictured on the left), celebrates Fair Housing Month at the Luncheon with Beverly Lewis, City of Massillon Director & Fair Housing Coordinator



Bill Introduced to add Source of Income and Veteran Status as Protected Classes



Source of income is not a protected class under the Federal Fair Housing Act (FHA). A senator and two representatives want that to change. They recently reintroduced the “Fair Housing Improvement Act of 2023” to protect veterans and low-income families from housing discrimination. More than 2.3 million veterans and low-income households use vouchers to help pay rent, but there are no federal protections to prevent individuals from being denied an apartment because they have a voucher. This practice is called **“source of income”** discrimination because the landlord is refusing to rent because of a person's form of income. This adds unnecessary burdens to households that already face many challenges in securing housing.

The Fair Housing Improvement Act would expand protections by adding source of income and veteran status to the list of protected classes under the FHA, giving more individuals and families access to affordable housing. It would prohibit landlords from denying housing to individuals who use Housing Choice Vouchers (Section 8), HUD-Veterans Affairs Supportive Housing (HUD-VASH) vouchers, benefits received through Social Security, income received by a court order, or any other lawful source of income. People of color, particularly Black women, are disproportionately impacted and more likely than any other group to be evicted or denied housing.

Source of Income Discrimination

Localities in Ohio That Have Passed Source of Income Protection Laws

Athens - Akron - Bexley

Cincinnati - Cleveland Heights - Columbus

Linndale - Reynoldsburg - South Euclid

Toledo - University Heights - Warrensville Heights

Westerville - Wickliffe - Worthington - Yellow Springs

Some states and local municipalities offer legal protections
for housing voucher holders and veterans.

Federal Fair Housing Act Protected Classes

The FHA prohibits discrimination in
home sales, financing, and rentals
based on a person's:

- Race
- Color
- Sex
- Religion
- National Origin
- Disability
- Familial Status



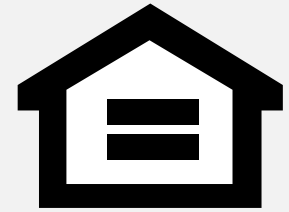
HUD JUDGE ORDERS TEXAS LANDLORDS TO PAY **\$140,649** IN RACE DISCRIMINATION CASE

HUD announced that Administrative Law Judge (ALJ) has ordered three Plano, Texas landlords to pay damages, civil penalties, and attorney's fees totaling \$140,649 for violating the Fair Housing Act. The ALJ found that agent Quang Dangtran and property owners Ha Nguyen and HQD Enterprise, LLC refused to rent to a Black woman because of race, made discriminatory statements, placed discriminatory advertisements on Craigslist, and retaliated against the woman because she filed a complaint.

Landlords must establish clear policies against racial and other discrimination. The Fair Housing Act prohibits discrimination in housing because of race. This includes making discriminatory statements, publishing discriminatory advertisements, misrepresenting the availability of rental housing, and refusing to negotiate with someone because of their race. Property owners are responsible for violations of the Act that their agents commit.

The ALJ found that Dangtran refused to allow the woman to see the advertised room, told her that his wife would be uncomfortable with her living in the home because she is Black, and told her that the room was already rented when, in fact, the room was still available for rent. The ALJ found further that the landlords posted advertisements on Craigslist that specifically asked interested home seekers to specify their race. The ALJ determined that the landlords violated the Fair Housing Act by posting a discriminatory housing advertisement, making a discriminatory statement, misrepresenting the availability of rental housing, refusing to negotiate with or rent to the woman because of her race, and retaliating against her because she filed a housing discrimination complaint.

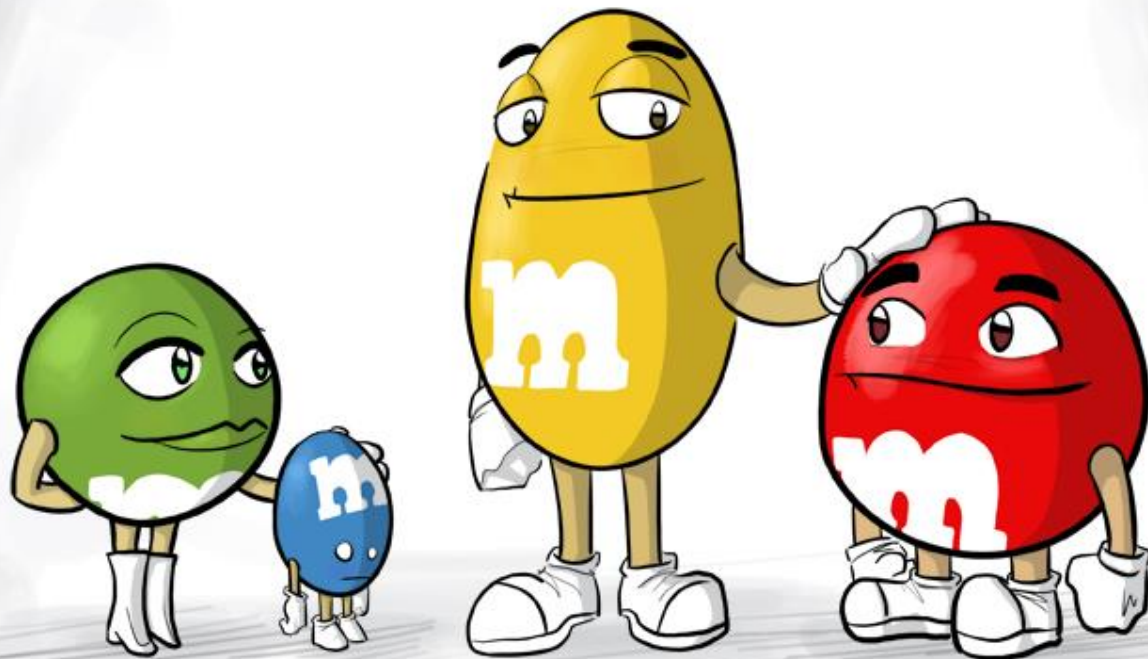
The ALJ ordered Respondents to pay \$79,782.75 in compensatory damages, \$49,472 in civil penalties and \$11,394.61 in attorneys' fees for a total of \$140,649.36. The ALJ also ordered Respondents to attend Fair Housing and cultural sensitivity training, adopt a non-discrimination policy, and adopt equal housing opportunity language in advertisements and rental documents.



EQUAL HOUSING
OPPORTUNITY

RACISM WRONG

Don't Discriminate...



We're all the same on the inside



Disability

Reasonable Accommodation

A change, exception, or adjustment to a rule, policy, practice, or service that may be necessary to afford a person with a disability equal enjoyment of the property.

HUD Charges Landlord and Realtor with Disability Discrimination

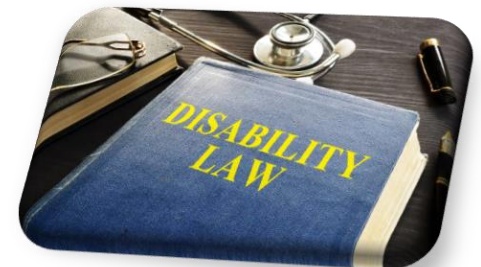


On July 14, 2023, the U.S. Department of Housing and Urban Development announced that it has charged Serrot Management LLC, the owner of a dwelling in Maplewood, New Jersey, and its realtor with violating the Fair Housing Act by refusing to allow a prospective tenant with a disability to live with her assistance animal. The Fair Housing Act (“Act”) prohibits discrimination based on disability. Such discrimination includes refusing to rent based on a person’s disability, failing to grant reasonable accommodations, or subjecting tenants to discriminatory terms and conditions.

HUD’s Charge of Discrimination alleges that respondents approved the complainant’s application to rent an apartment in Maplewood, New Jersey. However, they imposed discriminatory terms and conditions on the complainant’s

tenancy and eventually rescinded their approval after they learned she required an assistance animal. Although the complainant offered medical support documentation for her assistance animal, the landlord continued to impose onerous conditions, denied her reasonable accommodation request, and ultimately denied her housing. The complainant was forced to find another place to live with her family under a tight time deadline.

If court finds that discrimination occurred, they may award damages to the individuals for their losses, injunctive relief, attorney fees, civil penalties and punitive damages.



**“I’m sorry. I must have misplaced
your paperwork...”**

“Your credit report isn’t back.”

“Your income hasn’t been verified yet.”



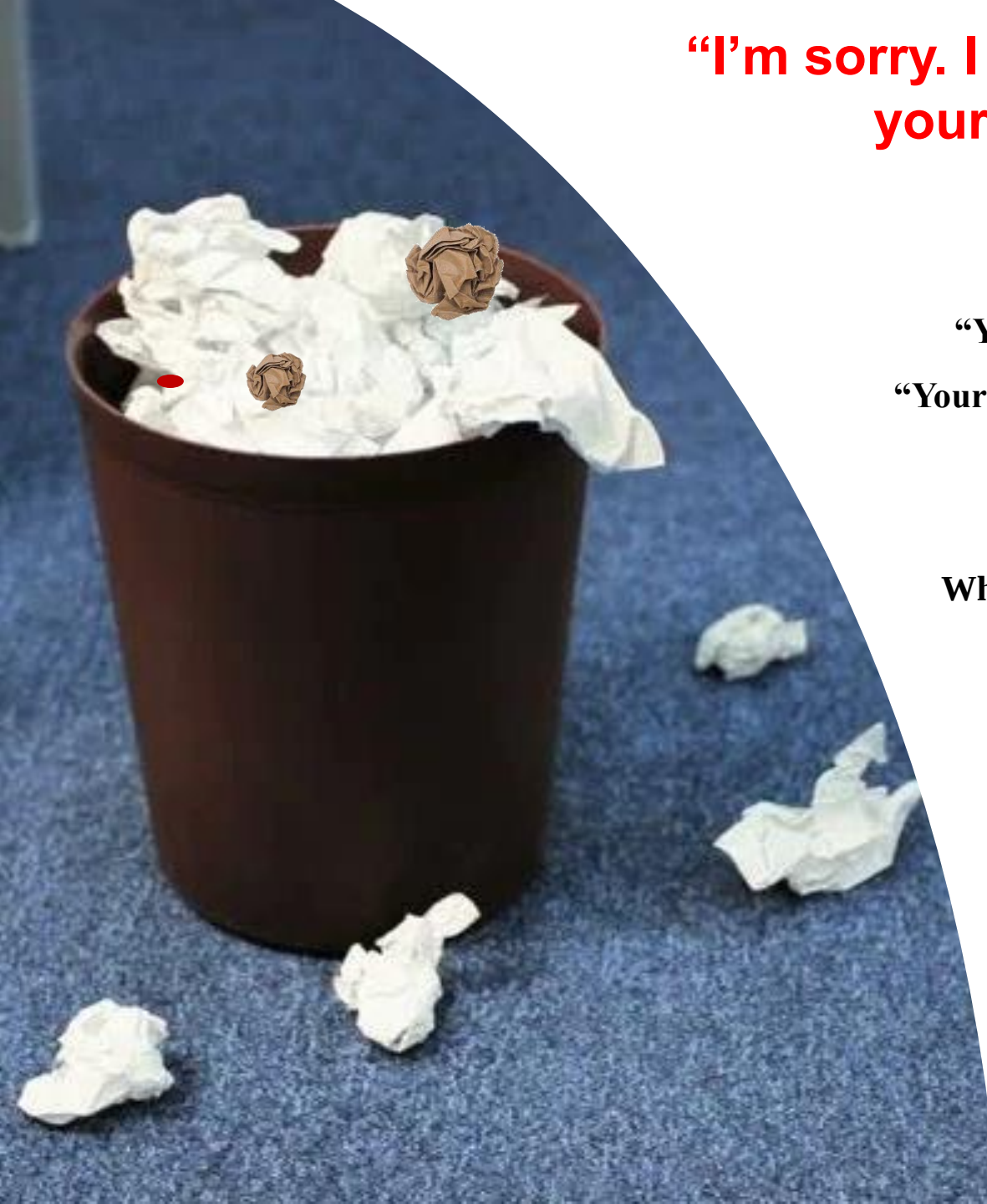
Don’t be fooled by excuses.

**What appears to be a delay could
be discrimination.**

YOU CAN FIGHT BACK!

The Fair Housing Act prohibits discrimination in housing because of race, color, religion, national origin, sex (including gender identity and sexual orientation), disability, and familial status.

If you believe you may be a victim of housing discrimination, contact Stark County Fair Housing Department at (330) 451-7775.



Reasonable Accommodation Requests

Reasonable accommodations may be requested at any time by or on behalf of:

- A tenant or applicant with a disability;
- A household member with a disability;
- Any other person with a disability associated with tenant.

Any request may be made in writing or orally.



Disability

Any person who has a physical or mental impairment that substantially limits one or more major life activities; has a record of such impairment; or regarded as having such impairment.

Denying a Request for a Reasonable Accommodation

A reasonable accommodation must be granted unless it is an undue financial and administrative burden for the housing provider, or it would entail a fundamental alteration to the nature of the housing provider's operations. Examples of requests that may be denied include:

- The request was not made by a person with a disability or on behalf of a person with a disability.
- There is no disability-related need for the accommodation requested.
- The specific animal in question poses a direct threat to the safety of others and there is evidence of such threat (e.g., testimony and video of the animal growling, barking, and lunging at multiple tenants in the lobby of the dwelling).

The housing provider should be prepared to justify their decision when denying a reasonable accommodation request. The provider must enter an interactive process before denying a request as unreasonable so as to discuss with the requestor whether any alternative accommodation would "effectively address" the individual's disability-related needs without fundamentally altering the provider's operations or causing an undue financial and administrative burden. The goal is to see if some sort of accommodation may still be achieved.



LOOKING TO EXPAND YOUR FAIR HOUSING KNOWLEDGE?



The Stark County Fair Housing Department's educational outreach program is part of an ongoing effort to educate the public on the fair housing laws. The SCFHD offers presentations, trainings and seminars on the Fair Housing and Landlord Tenant Laws.

If you are interested in increasing your knowledge of the laws, contact the Stark County Fair Housing Department to request training, presentation, etc. at (330) 451-7775 or email vjwatson@starkcountyohio.gov

Fair Housing is the Law!

Top Ten Fair Housing Mistakes

10. Denying housing because of applicant's gender identity or sexual orientation.

9. Failing to Keep Records.

8. Evicting tenants because they become pregnant.

7. Inquiring about family status by asking an applicant how many children they have, whether they are pregnant, etc.

6. Making rules that pertain specifically to children: For example, you can have a rule that people may not ride bikes on the sidewalk. But, you can't have a rule stating *children* may not ride bikes on the sidewalk.

5. Having blanket bans on applicants with a criminal history or denying housing based on arrest records.

4. Denying housing or steering to and from certain neighborhoods or certain complexes because of applicants race.

3. Violating Familial Status Laws out of concerns for safety or steering to and from certain complexes.

2. Denying a disabled person to have an emotional support animal because you have a no-pets policy.



1. Failing to train all staff who interact with tenants or prospective tenants and buyers including maintenance on the Fair Housing Law.

Fair Housing



Quiz

Are you well versed in the fair housing law? Take the fair housing quiz! Answers are on page 11.

- 1. Penalties for Fair Housing Act violations awarded by an Administrative Law Judge may be as much as:**
 - A. \$5,000 for the first offense
 - B. \$10,500 for the first offense
 - C. \$15,423 for the first offense
 - D. \$24,793 for the first offense

- 2. The fair housing laws prohibit all of the following, except**
 - A. Refusal to show, sell, or rent a property because of disability
 - B. Expressing a preference for young adults in a listing comment
 - C. Evicting a current user of illegal drugs
 - D. Having a building designated solely for families with children.

- 3. Under federal law, it is legal to charge a pet deposit and monthly pet fee for a person with a disability who needs an emotional support or therapeutic animal as long as he/she is not denied due to a disability.**
 - A. True
 - B. False

- 4. If a seller using a real estate agent refuses an offer because of the buyer's national origin, who may file a federal lawsuit against the seller?**
 - A. The prospective buyer
 - B. The real estate practitioner
 - C. The federal government
 - D. All of the above



5. A landlord has a no-pet policy. Sue has a mental disability and asks her landlord if she can own an emotional support animal. Her therapist expressed the need stating that an animal would help with her day to day life. Does the landlord have to waive his no-pet policy and permit Sue to own an animal in his complex?
- A. Yes
 - B. No
6. Are support animals limited to dogs?
- A. Yes
 - B. No
7. If a person has been a drug addict, can they meet the definition of a person with a disability?
- A. Yes
 - B. No
8. Tasha and Steve have two children and are looking to rent a two-bedroom apartment at ABC Apartments. The manager tells them that they cannot rent there because ABC Apartments is for adults only. Tasha and Steve see 20 and 30 year olds living at the complex, but they see no children. Can the manager refuse to rent to them because they have children?
- A. Yes
 - B. No

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



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

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