



MIAMI VALLEY FAIR HOUSING CENTER NEWSLETTER

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WINTER 2018/2019

JIM MCCARTHY, PRESIDENT/CEO



MVFHC Annual Meeting

The Miami Valley Fair Housing Center will hold its annual meeting on Wednesday, February 13, 2019 at 4:00 PM at the fair housing center, 505 Riverside Drive.

As a current MVFHC member, you will be invited and are eligible to vote for the Board of Directors. Watch your email later this month for more information.

Martin Luther King Day March and Rally

Both board members and staff from the Miami Valley Fair Housing Center will be on hand at the end of the MLK Day March to hand out fair housing materials to marchers and others who gather at the Dayton Convention Center for the MLK Day Rally. The march will be on Monday, January 21, 2019 and will begin at 10:00 AM at the Charles R. Drew Health Center, 1323 W. Third Street in Dayton.

Immediately following the march there will be a MLK Youth Celebration at the Dayton Convention Center. Admission is free. There are several events throughout the weekend. Visit MLKDayton.org for a complete schedule of events.

A message from MVFHC's President/CEO

Returning to the office after the holiday break caused me to reflect upon the challenges the Miami Valley Fair Housing Center faced in 2018, and the tremendous opportunities that opened to us because of those challenges.

In late January 2018, we were devastated to learn that the U.S. Department of Housing & Urban Development (HUD) would not be providing funding to the Miami Valley Fair Housing Center during 2018—resulting in a funding gap of \$425,000—that would have funded the bulk of our budget for the year. Without intervention, we faced the possibility of laying off the majority of our 9-person staff and severely constricting the services we provide to our community. In the 20 years that I have served as the Fair Housing Center's President/CEO, there had never been a more critical crisis facing the agency.

We started by reaching out to our long-time funders and supporters—Montgomery County and the City of Dayton and explained the circumstances that led to the crisis. We launched a GoFundMe campaign to reach out to individuals. We also reached out to some national foundations that had provided funding to support our mission previously. Next, we met with the leadership at the Dayton Foundation. With every outreach, we received sincere support and commitments to work to do whatever possible to help preserve the Fair Housing Center and its important work in the community.

In less than four months, the people of the Miami Valley showed what we are made of here in this great community. Our GoFundMe campaign and the news of it spreading on social media raised more than \$22,000, including a generous \$10,000 contribution from local community leaders David and Theresa Gasper. Montgomery County and the City of Dayton each identified an additional \$50,000 to be used to contract with the Center. We received generous support from The Open Society Foundations and The Ford Foundation that work on a national level to support civil rights. In June, we

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Fair Housing Update: The impact of a complaint based on Sexual Harassment

In September of 2016 HUD implemented an updated regulation on harassment in housing. The rule gave information to the housing industry on how to avoid liability under this rule. In December of 2017 information on a case about sexual harassment was released to the public. The following is an excerpt from a press release that can be used for study on the adverse impact of harassment in housing.

December 9, 2017 Press release stated: [Metropolitan Fair Housing Council of Oklahoma](#) Announces \$800,000 Sexual Harassment Lawsuit Settlement in:

- Metropolitan Fair Housing Council of Oklahoma, Inc., et al. v. Walter Ray Pelfrey, etc., et al.,
- The lawsuit alleged defendants and their agents violated the federal Fair Housing Act, 42 U.S.C. § 3601, et seq., and related Oklahoma laws by engaging in a pattern or practice of sexual harassment of female residents of residential dwellings owned and/or managed by defendants in Oklahoma City and the surrounding area. Defendants have denied all material allegations in the complaints. The parties have agreed that in order to avoid protracted and costly litigation, the controversy would be resolved without a trial, and have consented to entry of the consent decree.
- The complaint alleged that since at least 2008, Walter Ray Pelfrey has discriminated against his female tenants on the basis of sex, subjecting them to **severe, pervasive, and unwelcome** sexual harassment, including
- making unwelcome sexual comments and unwelcome sexual advances to female tenants, including plaintiffs;
- subjecting female tenants, including plaintiffs, to unwanted sexual touching;
- conditioning or offering tangible housing benefits – such as rent forgiveness, late fee withdrawal, dismissal of evictions, payment of utilities or access to housing – in exchange for sexual acts by female tenants, including plaintiffs;
- entering the dwellings of female tenants, including plaintiffs, without notice or permission;
- taking adverse housing actions, or threatening to take such actions, against female tenants including plaintiffs who have not granted or would not continue to grant sexual favors; and
- seizing the personal property of female tenants and their children, including plaintiffs, in retaliation for their failure or refusal to provide sexual favors.

The information in this article was collected by John Zimmerman, VP Miami Valley Fair Housing Center from resources from HUD and other sources. To view more information go to <https://portal.hud.gov> and use these search words: “Fair Housing-It's Your Right.” To read the regulation go to www.mvfairhousing.com/rental and click on “Links to HUD Policies.”

Message from the President/CEO continued from Page 1 ...

learned that the Virginia W. Kettering Foundation had approved a \$50,000 grant to the Center, and the Harry A. Toulmin, Jr. and Virginia B. Toulmin Fund of The Dayton Foundation was providing a discretionary grant of \$50,000. Remarkably in less than six months, the supporters from near and far had committed funding to keep the Fair Housing Center operational with two reductions in staffing.

In July another opportunity arose when Montgomery County Auditor Karl Keith sought the Center’s assistance in conducting a Fair Housing Assessment of the Sexennial Property Reappraisal process—the contract for which secured funding sufficient to keep Center operating through the first quarter of 2019, at which time the new announcements of federal funding from HUD are expected.

On behalf of The Board of Directors, the staff and myself I share a heartfelt thank you for confidence that elected officials, community leaders and individuals demonstrated during our time of need. The rich opportunities afforded us during 2018 have made us stronger, more confident and more ready than ever to passionately pursue our mission of eliminating housing discrimination and ensuring equal housing opportunity for all people in our region, the State of Ohio, and nationally.

We are humbled by and grateful for your support.

Jim McCarthy, President/CEO

Fair Housing Update: Fair Housing Tips on the Screening Process

Steering is Illegal: Treating everyone equally so that they have the opportunity to use and enjoy the dwelling is a best practice to avoid illegal steering such as discouraging a person to rent a unit based on their race. Housing professionals should have a flexible screening process made up of both: 1. Standardized Procedures to evaluate past and current income, credit, criminal history, and rental history, and 2. Individual Assessments which allow housing providers to adopt alternative criteria to enable a prospective tenant to establish eligibility.

1. Standardized Procedures, Housing providers should know:

- What their acceptance criteria is PRIOR to advertising the unit for rent and
- Share the acceptance criteria with all callers and people who actually view the unit;
- When completed applications are received, a manager/staff person should write the date & time received on each application,
- “Screen” (credit, criminal background, former LL references, etc.) in the order that applications are received,
- and offer the unit to the applicant(s) who meet the pre-established acceptance criteria in the same order that the completed applications were returned to the manager/staff.

2. Individual Assessment examples:

- Families with children should be afforded an individual assessment because the 1998 Keating memorandum from HUD describes that process through *hypothetical examples should assist you in determining whether the size of the bedrooms or the special circumstances would make a occupancy policy unreasonable.*
- Immigrants are not always completely documented while in their search for housing. Fair Housing laws allow housing providers to be flexible and use alternative criteria to figure out if the applicant meets all of the rental criteria.
- People with a criminal history can be given special considerations when they are able to prove that the problems that caused a former incarceration have been mitigated and that they can meet all of the requirements of tenancy.
- People with Disabilities: In some cases, a housing provider must consider alternative criteria as a reasonable accommodation to enable an applicant with a disability to establish eligibility. Some applicants may have special needs due to their disabilities, so simply treating them the same as others may not ensure that they have an equal opportunity to use and enjoy the housing which is a cornerstone of fair housing best practices.

Go to www.mvfairhousing.com/rental to retrieve. Click on *Links to HUD Policies* to see more information on HUD’s guidance around criminal history, view the paper called *Tools for Working with Immigrants*, and *Non-discriminatory Rental Practices*. Information collected from these sources by John Zimmerman, VP Miami Valley Fair Housing Center for this article.

Welcome new Miami Valley Fair Housing Center Board Members

At the December board meeting, the Miami Valley Fair Housing Center Board of Directors approved 3 new members to serve on the board. They are: Angela Brown, Tawana Jones and Cedric Pearl.

Angela Brown is the Community Development Manager with the City of Kettering and currently serves on the MVFHC board as a funding liaison.

Tawana Jones is the Community and Economic Development Operations Manager for Montgomery County and also serves on the current MVFHC board as a funding liaison.

Cedric Pearl is the head football coach at Central State University. Coach Pearl played collegiately at Tuskegee University. He earned his BA in Social Work in 1992 and a Master’s in Education in Counseling and Student Development in 1995. A member of Omega Psi Phi fraternity, Coach Pearl currently resides in the Dayton area with his wife Danita and stepdaughter Shanice Adams.

All three will begin their 3-year term on the Board of Directors in February 2019. The Miami Valley Fair Housing Center is proud to welcome the new board members!



Dance to *THE MOVEMENT*

Limited edition signed and numbered prints of Dance to *THE MOVEMENT* are still available. Cost is \$250. Contact the Miami Valley Fair Housing Center at 937-223-6035 to reserve your print today.

A [framed print is on display](#) at the [Ed Dixon Gallery](#), 12 South Ludlow Street in Dayton. The Ed Dixon Gallery also has prints for sale.

A museum quality framed print is also available at an additional cost. Contact our office for more details.



The Greater Dayton Home Show will be held at the new Montgomery County Fairgrounds located at 645 Infirmiry Road. Parking is free. Admission to the show is \$5.

Show times are (see dates below in *Save The Date*):

Fridays, Noon to 8:00 PM

Saturdays, 10:00 AM to 8:00 PM

Sundays, Noon to 5:00 PM

Be sure to visit the MVFHC booth when you're there. For more information and a list of vendors who will be at the show, visit www.thegdhs.com.

SAVE THE DATE

COMING UP

January 11, 12 & 13

January 18, 19 & 20

January 21

February 13

April 12

Greater Dayton Home Show

Greater Dayton Home Show

MLK Day March

MVFHC Annual Meeting

Fair Housing Month Celebration

MVFHC Mission Statement

The mission of the Miami Valley Fair Housing Center (MVFHC) is to eliminate housing discrimination and ensure equal housing opportunity for all people in our region, the State of Ohio, and nationally.

Specifically, the Miami Valley Fair Housing Center seeks to eliminate housing discrimination against all persons because of race, color, religion, national origin, sex, disability, familial status, or any other characteristic protected under state or local laws. In furthering this goal, MVFHC engages in activities designed to encourage fair housing practices through educational efforts; assists person who believe they have been victims of housing discrimination; identifies barriers to fair housing in order to help counteract and eliminate discriminatory housing practices; works with elected and government representatives to protect and improve fair housing laws; and takes all appropriate and necessary action to ensure that fair housing laws are properly and fairly enforced throughout our region, the State of Ohio, and nationally.

MVFHC Vision Statement

The Miami Valley Fair Housing Center recognizes the importance of "home" as a component of the American dream. We envision a country free of housing discrimination where every individual, group and community enjoys equal housing opportunity and access in a bias-free and open housing market. We envision a country where integrated neighborhoods are the norm, and private and public sectors guarantee civil rights in an open and barrier-free community committed to healing the history of discrimination in America.

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