

# Fair Housing Update

**MAY 2006**

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Visit our Website @  
***www.ohr.dcgov***  
for fair housing information and resources

### **THE OFFICE OF HUMAN RIGHTS**

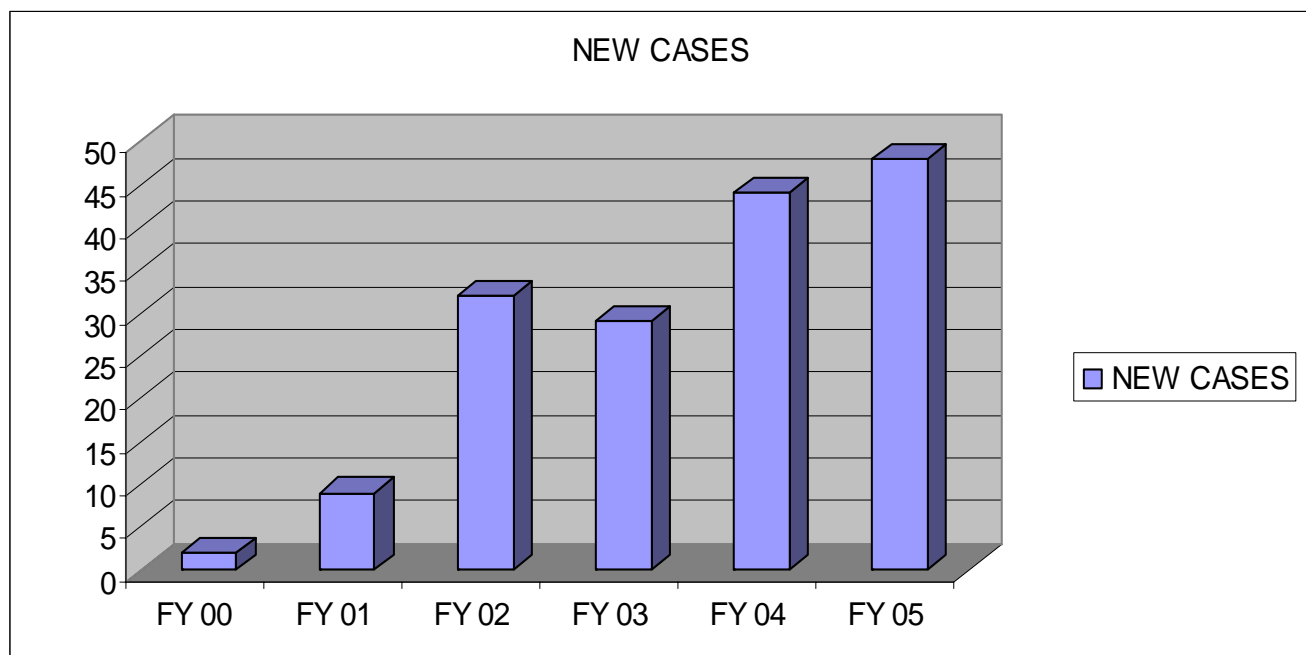
The Office of Human Rights (OHR) seeks to eliminate discrimination, increase equal opportunity and protect human rights in the District of Columbia. To accomplish its mission, the Office enforces the D.C. Human Rights Act of 1977 (DCHRA) and other laws and policies on nondiscrimination. The office is the advocate for the practice of good human relations and mutual understanding among the racial, ethnic and religious groups in the District of Columbia.



### **Fair Housing It's Your Right**

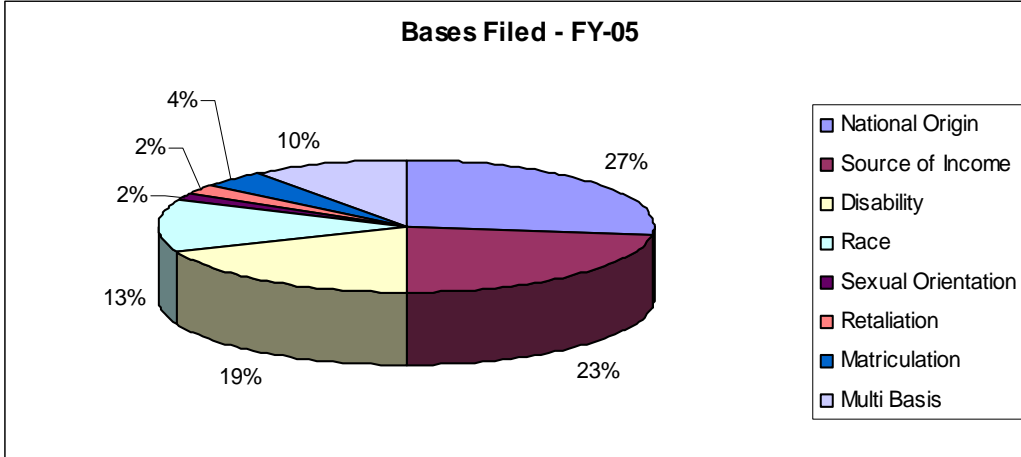
In the District of Columbia you have a right to fair housing. This means that you have the right to choose where to live, to raise a family, to own a home. It is your right to do so in dignity and without fear of discrimination because of your race, color, religion, sex, national origin, or because you are disabled or have children. Fair housing in the District also means you may freely choose a place to live without regard to your age, marital status, personal appearance, place of residence or business sexual orientation, family responsibility, political affiliation, gender identification or expression, source of income. Income from social security, SSI or Section 8 housing assistance should not restrict your housing rights.

The Housing Unit is responsible for processing and investigating fair housing complaints filed with the OHR through the support of a cooperative agreement with the Department of Housing and Urban Development (HUD). HUD refers complaints to the OHR and provides funding to enforce fair housing laws in the District of Columbia. The housing unit continues an upward trend for complaints filed since obtaining a contractual agreement with HUD in 2000. The office also directly receives numerous complaints pertaining to landlord tenant issues, housing code violations and home purchasing opportunities. As such, these complaints are referred to the appropriate agency.



**Outcome of Cases**

The top four bases for housing complaints filed at OHR in FY05 represent national origin (27%), source of income (23%), disability (19%) and race (13%). Other complaints filed include sexual orientation (2%), retaliation (2%) and matriculation (4%). Ten percent (10%) of all complaints filed have multi-bases which included two or more of the following: familial status; disability; age; source of income; race; national origin and matriculation.



**TOP FOUR ISSUES IN HOUSING COMPLAINTS FILED - FY 05**

<p><b>Housing discrimination complaints must specify the alleged discriminatory action that violated the Fair Housing Act. Many complaints have two or more issues</b></p>
<p>Discriminatory Terms, Conditions, or Privileges Relating to the Rental of a Dwelling, or in the Provision of Services or Facilities</p>
<p>Refusal to Rent</p>
<p>Discriminatory Acts under Section 818 (coerce, intimidate or threaten)</p>
<p>Failure to Make a Reasonable Accommodation</p>

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The DC Human Rights Act of 1977 (as amended) established mandatory mediation, effective October 1, 1997. Mediation is an alternative dispute resolution (ADR) process that is used by the DC Office of Human Rights (OHR) as an alternative to investigation. Complaints that are not resolved in mediation are forwarded to investigation.

### **Complaints resolved in mediation**

Complainant alleged discrimination based on *religion* when Complainant was staying in a homeless shelter and was required to attend bible study classes. Respondent agreed to include anti-discrimination language on their housing application forms and awarded Complainant \$155.00.

Complainant alleged discrimination based on *disability* when the landlord refused to make repairs to complainant's unit. The case was resolved within 30 days and the Respondent agreed to complete all repairs to Complainant's unit within ninety days.

Complainant alleged the landlord failed to provide a *reasonable accommodation* based on disability when Complainant requested a handicapped parking space. Parties reached a non monetary settlement and Complainant was issued a disabled parking space near her unit.

### **Probable Cause Cases—FY05**

OHR issued a probable cause finding based on sex (female) when a property management company ignored complaints from a tenant regarding repeated sexual harassment from Respondent's employee. The property management employee requested sexual favors, made sexual comments and harassed Complainant over a four year period subjecting her to a hostile living environment.

OHR issued a probable cause finding when Respondent failed to grant Complainant a reasonable accommodation on the basis of disability when the property management company refused to respond to Complainant's request for a unit transfer.

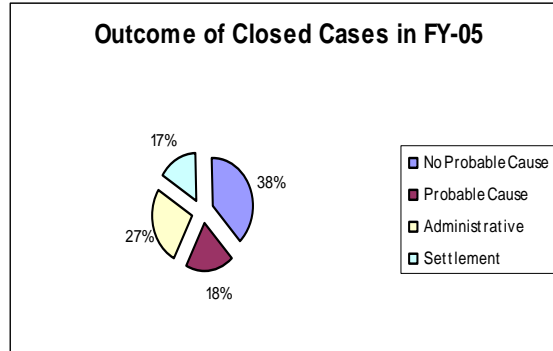
OHR issued nine (9) probable cause findings when a landlord harassed and intimidated Latino tenants by posting a discriminatory notice in the building in an attempt to evacuate the building for substantial repairs.

### **Familial Status Case Settles Before the Human Rights Commission**

Housing case set for a hearing before the District of Columbia Commission on Human Rights, the parties in *Petropoulos v. Dorchester House Associates et al.* reached a settlement regarding the Complainant's allegations of discrimination based on familial status.

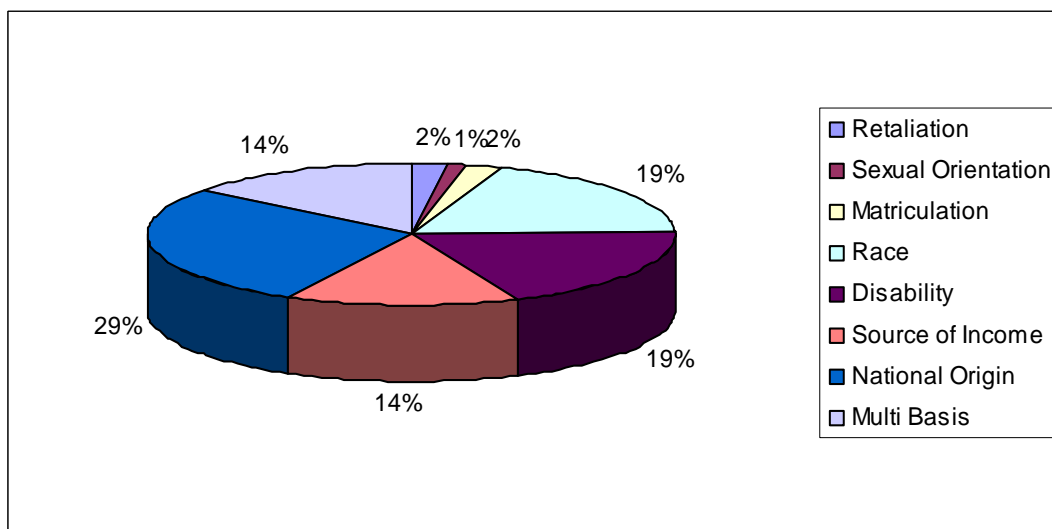
In consideration of withdrawing his claim against the Dorchester House Associates, Mr. Petropoulos received \$4,000. This matter stems from an investigation by the Office of Human Rights, which found that Complainant and his wife moved into a one-bedroom apartment unit at the Dorchester. At that time, the Respondent had a policy which stated that the number of residents in a one-bedroom apartment is limited to three (3) people. Subsequent to their moving into the apartment, the Complainant and his wife had two (2) children, thereby putting them above Respondent's occupancy limit. District of Columbia occupancy regulations prescribe the minimum amount of floor area for the number of individuals residing in a housing unit. Mr. Petropoulos' unit met the requirements. Upon discovering violation of its policy, the Respondent attempted to cure this violation by offering to move Complainant to a two-bedroom apartment. Complainant refused the offer. The issues that were to be addressed before the Commission were whether Respondent's enforcement of occupancy limits violated the Human Rights Act and whether such enforcement has a disparate impact on families with children.

The chart below reflects the type of closed cases in FY05. Cases are resolved by one of the following methods: a no probable cause determination; a probable cause determination; an administrative closure or settlement.



A two-year review of cases filed (2004-2005) demonstrate national origin (29%), disability (19%) and race (19%) are the top three bases filed at OHR. The gentrification and lack of affordable housing may possibly contribute to cases filed. Newly constructed housing and condominium conversions are prevalent in the District. Many housing providers are purchasing buildings which leave many residents in search of housing. Residents report that landlords use various methods to force them out of buildings. Methods include: property owners do not offer existing tenants their “first right of refusal” prior to selling the building; landlords issue eviction notices for false violations and/or offer monetary compensation however, if the tenant does not accept the offer owners attempt to force them out by not providing repairs. Tenants assert these actions are discriminatory and are directly related to their race, national origin, disability and/or familial status.

Secondly, complaints against landlords for failure to make reasonable accommodations is the chief complaint for persons with disabilities. OHR continues to see an increase in complaints filed against property managers and shelter care service providers.





### Outreach Events

The Office of Human Rights is charged with increasing public awareness of the DCHRA laws. The OHR fulfills this mandate by conducting seminars about fair housing laws and OHR's role in enforcing those laws, speaking with groups about their rights and responsibilities under the Act, and by responding to inquiries from members of the public. During FY05 the housing unit participated in eleven (11) education and outreach events in the District of Columbia.



Outreach events were sponsored by several organizations: the D.C. Center for Independent Living; Latino Family Day sponsored by the D.C. Office of Latino Affairs; The Ethiopian Community Development Center; Central American Resource Center; D.C. Neighborhood Services; D.C. Healthy Families and several property management companies. Outreach and education has translated into increased inquiries received at OHR for information and assistance. Inquiries include discrimination complaints from tenants and calls from housing providers seeking to ensure their policies and procedures are in compliance with the DCHRA and fair housing laws.

**If you would like our office to provide a fair housing training for your organization please give us a call at (202) 727-4559.**



## Examples of housing discrimination

- Restricting families with children to certain buildings or floors.
- Steering (directing) any protected group to certain parts of a community.
- The landlord tells you a unit is available over the phone however, when you go in person to see the unit, you are told the unit is not available.
- Refusing to make loans in certain neighborhoods.
- Not offering homeowners insurance for persons living in certain neighborhoods.
- The landlord ask you to pay a higher security deposit or refuses to rent to you because you are a student.

If you think your rights have been violated while seeking to rent or purchase a home in the District of Columbia, submit a complaint form or call our office. Most housing is covered, including shelters and group homes. In some cases, owner-occupied buildings with no more than four units, single-family homes sold or rented without the use of a real estate broker, and housing operated by organizations and private clubs that limit occupancy to members are exempt. We will mail or fax you a complaint form upon request. A housing equal opportunity specialist will ask you questions to address your complaint and to ascertain what action should be taken. You have one year from the date on which the alleged discriminatory violation occurred to file a complaint with the OHR.



### What to Tell Us

- Your name and address
- The name and address of the person your complaint is against
- The address or other identification of the housing involved
- A short description of the alleged violation (the event that caused you to believe your rights were violated)
- The date(s) of the alleged violation

The OHR has staff to assist Spanish-Speaking individuals who feel a housing provider has discriminated against them. Our office can also assist individuals who speak other languages through Language Line which has interpreters for more than 100 different languages.

### Do you know the requirements for newly constructed buildings as they relate to persons with disabilities?

Buildings that were ready for first occupancy after March 13, 1991, and have an elevator and four or more units must have:

- Doors and hallways that are wide enough for wheelchairs,
- An accessible route into and through the unit,
- Accessible light switches, electrical outlets, thermostats and other environmental controls,
- Reinforced bathroom walls to allow installation of grab bars, and
- Kitchens and bathrooms that can be used by people in wheelchairs.

If a building with four or more units does not have an elevator, these standards apply only to ground floor units

**You can also contact the following agencies if you have a fair housing complaint****HOWARD UNIVERSITY FAIR HOUSING CLINIC**

The Howard University School of Law Fair Housing Clinic is committed to aggressive, proactive advocacy and community empowerment by serving as a legal clinic on fair housing issues and as a housing rights resource center. Their primary focus is fair housing enforcement and community education, but the clinic is concerned with housing issues in general and will attempt to, at all times serve the community with innovative and broad based solutions to everyday housing problems. Community residents will be able to rely on the Clinic to educate themselves on fair housing matters and basic housing law and rights, seek counsel when rights have been violated, learn how to react to housing problems and fair housing violations, and bring their new-found knowledge back into their community.



The Clinic allows students to expand their knowledge of the fair housing laws while enhancing their advocacy and trial skills with client contact. Drawing on its unique partnership with the Department of Housing and Urban Development as well as other private and public organizations committed to eliminating discriminatory housing practices, the Fair Housing Clinic shares knowledge and resources. The partnerships with these organizations serve as a means for the Clinic and the students to stay aware of the diverse needs of the community and fair housing trends. The clinic seeks at all times to be a community resource dedicated to assisting individuals with their housing problems and to be a model for other colleges and universities to replicate and emulate well into the future. For additional information contact:

Brian G. Gilmore  
Clinical Supervising Attorney  
202.806.8267

**U.S. Department of Housing and Urban Development (HUD)**

451 7th Street  
Room 5204  
Washington, DC 20410

HUD investigates complaints of housing discrimination based on race, color, religion, national origin, sex, disability, or familial status. At no cost, HUD will investigate the complaint and attempt to conciliate the matter with both parties.

**For landlord tenant complaints contact:**

The D.C. Landlord & Tenant Court at (202) 879-1152



Fair Housing Consumer Survey

The Office of Human Rights would like to hear from you about what's going on in your community and suggestions for future fair housing outreach activities. We would appreciate it if you would complete the form below and submit it to our office by June 30, 2006.

What type of fair housing information would be of interest to you?

Which groups or individuals do you think we should target when we provide fair housing information? Why should we target this particular group?

Do you believe fair housing discrimination is prevalent in the District of Columbia? If yes, please provide an example.

Identify what issue you think is most prevalent, example - refusal to rent or buy a home, offering different terms and conditions for rental services or a home loan, failure to provide a reasonable accommodation or modification.

What types of outreach activities do you believe would be most effective?

- Community forums
- Training
- Media

Would your organization be interested in planning or participating in any of the outreach activities? If yes, please explain your interest.

Name and/or Organization \_\_\_\_\_

Address \_\_\_\_\_

Telephone # \_\_\_\_\_

Fax # \_\_\_\_\_

E-mail \_\_\_\_\_

Please submit survey to:

D.C. Office of Human Rights  
Fair Housing Unit  
441 4th Street Suite 570 N  
Washington, D.C. 20001  
Or  
Fax to: (202) 645-6390



**FOR MORE INFORMATION CONTACT:**

**DC OFFICE OF HUMAN RIGHTS**  
441 4<sup>TH</sup> STREET, NW  
STE 570-N  
WASHINGTON, DC 20001  
PHONE: (202) 727-4559  
FAX: (202) 727-9589

**DC OFFICE OF HUMAN RIGHTS FAIR HOUSING PROGRAM**  
3220 PENNSILVANYA AVE, SE  
STE 100  
WASHINGTON, DC 20020  
PHONE: (202) 727-4559  
FAX: (202) 645-6390

**Notice of Non-Discrimination**

*In accordance with the DC Human Rights Act of 1977, as amended, DC Official Code Section 2-1401.01 et seq., (Act) the District of Columbia does not discriminate on the bases of color, race, national origin, sex, age, marital status, personal appearance, sexual orientation, familial status, family responsibilities, matriculation, political affiliation, disability, source of income, or place of residence or business. Sexual harassment is a form of sex discrimination which is also prohibited by the Act. Discrimination in violation of the Act will not be tolerated. Violators will be subject to disciplinary action.*