



MIAMI VALLEY FAIR HOUSING CENTER NEWSLETTER

Published by the Miami Valley Fair Housing Center, Inc.

MARCH 2012

JIM MCCARTHY, PRESIDENT/CEO

Join Us on April 5th in Celebration of Fair Housing Month

Join the Miami Valley Fair Housing Center in celebrating Fair Housing Month on Thursday, April 5, 2012 at the Sinclair Conference Center, 444 W. Third Street, Dayton, Ohio. Workshop registration begins at 8:00 am. Luncheon is from 11:45 am to 2:00 pm. [Click here to register](#) for the workshops and luncheon.

The Workshops:

- Fair Housing Obligations for Professionals and REALTORS® involved in Real Estate Owned Properties (REO's)
- Fair Housing, Disability Awareness, Accessibility, and Visitability for REALTORS®

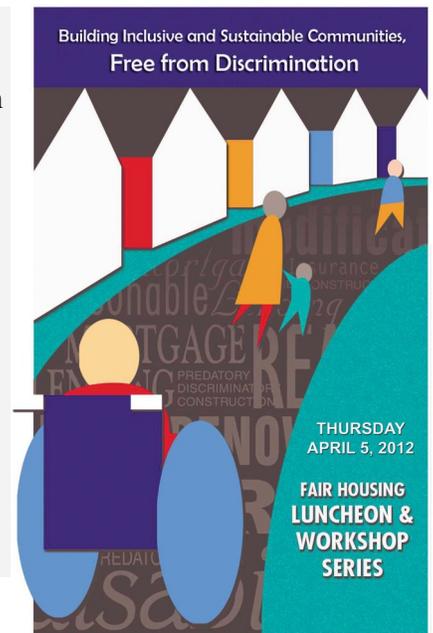
Luncheon, Keynote and Awards Presentation:

- Richard Cordray, Director of Consumer Financial Protection Bureau (invited)
- Marie Kindrick Fair Housing Awards

History of the Fair Housing Act

The Civil Rights Act signed into law in April 1968—popularly known as the Fair Housing Act—prohibited discrimination concerning the sale, rental and financing of housing based on race, religion, national origin and sex. Intended as a follow-up to the Civil Rights Act of 1964, the bill was the subject of a contentious debate in the Senate, but was passed quickly by the House of Representatives in the days after the assassination of civil rights leader Martin Luther King Jr. The act stands as the final great legislative achievement of the civil rights era.

[Click here to watch a YouTube video of President Johnson signing the Fair Housing Act of 1968](#)



Richard Cordray has been invited to be the Keynote Speaker at the Fair Housing Luncheon



Richard Cordray

In January of 2012, President Obama appointed Rich Cordray to be the first Director of the Consumer Financial Protection Bureau (CFPB). Mr. Cordray previously led the Bureau's Enforcement Division.

Prior to joining CFPB, Mr. Cordray served on the front lines of consumer protection as Ohio's Attorney General. Mr. Cordray recovered more than \$2 billion for Ohio's retirees, investors, and business owners and took major steps to help protect Ohio consumers from fraudulent foreclosures and financial predators.

To recognize his work on behalf of consumers as Attorney General, the Better Business Bureau presented Mr. Cordray with an award for promoting an ethical marketplace.

*** Because of a scheduling conflict, Mr. Cordray will be unable to attend. In his place Patrice Ficklin, the Assistant Director for the Office of Fair Lending & Equal Opportunity of the CFPB, will attend. See the last page of this PDF for Ms. Ficklin's biography.

A Fresh Start for Homeowners Who Owe Delinquent Taxes



submitted by Carolyn Rice, Montgomery County Treasurer

It is certainly true that times are tough and many citizens find themselves having difficulty paying their property tax bill that comes due twice a year. What should a taxpayer do who faces this circumstance? First, paying as much as they can afford by the due date will reduce the penalty owed because penalties are only calculated on the portion of the tax bill that remains unpaid. Second, paying as much as possible shows good faith on the part of the citizen to fulfill their obligation to pay their taxes. Once the due date has passed, the homeowner should come into the Treasurer's Office and speak to a delinquency specialist. The delinquency specialist will discuss their situation and explore options available. If eligible, the property owner will make a down payment and will be set up on a delinquent tax payment plan. As long as the homeowner makes these payments every month, they are considered in good standing and no further penalties and interest will be assessed to their property.

Unfortunately, only about 35% of the property owners who owe delinquent real estate taxes sign up for a delinquent payment plan. Not only does this leave the remaining 65% of delinquent properties eligible for a tax lien sale (second to last resort) or a tax foreclosure (final option) to collect the taxes owed, but the penalties and interest continue to add up over time. Consequently, homeowners find themselves falling further and further behind and paying off the taxes owed increasingly becomes an overwhelming task. In analyzing the county's delinquent tax payment history, our office determined that if taxes are not paid off within three years the chance for redemption drops significantly because at that point many properties become "under water" meaning that more taxes and penalties are owed than the property is worth.

Over the past few years, another discouraging statistic has been the fact that 50% of those property owners on a delinquent payment plan would not pay their next tax bill and void their contract. Once voided, all the subsequent penalties and interests they had avoided by being on a payment plan were reassessed to their property.

A New Approach—A Fresh Start

In order to better serve property owners, the Treasurer's

Office restructured the delinquent payment plan to include current tax payments with the delinquent tax payments. Here are some details on how the new contract works:

- A delinquency specialist will work with the property owner to determine the terms of the plan. The property owner is required to pay a percentage of what is owed in order to set up the contract.
- Even those property owners who have voided previous delinquent payment contracts will be given another chance to succeed on this new payment plan.
- As before, once the plan is in place no additional penalties or interest will be charged.
- Property owners entering into payment contracts become current on their property taxes by paying toward all new taxes while paying off prior delinquent taxes.
- Upon establishing a contract, the property owner agrees to make one payment every month for 12 months. Each payment will be applied to both current and delinquent taxes. The dollar amount going toward each will be stated in the contract.
- Property owners receive a packet of information when they sign up for a delinquent payment plan. The packet will include monthly coupons, frequently asked questions, a copy of their contract, and the business card of the delinquency specialist who served them. Property owners are encouraged to call this specialist at any time in the future if they encounter difficulties making their monthly payment or if they have questions of any kind.
- The monthly payment amount will be recalculated every July based on upcoming current taxes.
- Property owners will receive coupons to mail in with the monthly payments. Payments are due on or before the 15th day of every month.
- Each month an automated telephone call will be sent as a reminder that payment is due.
- Monthly payments can be made in person, by mail or online. For those who prefer an automatic payment option, we offer Electronic Fund Transfer. This payment is taken directly from a checking or savings account.
- The Treasurer's Office will monitor payments and contact property owners who are not meeting the terms of their contract to assist them in getting back on track.
- If the property owner is not able to meet the terms of the contract, it will void. When a delinquent tax con-

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Fair Housing for Families with Children

The Fair Housing Act prohibits housing discrimination on the basis of familial status, or the presence of children under the age of 18 in the household. In addition, expectant mothers and any adult who is in the process of gaining legal custody of a child are covered under the familial status provision of the Fair Housing Act.

Familial status has been protected under the Fair Housing Act since 1988. Discrimination against families with children continues to occur at unacceptable rates. The National Fair Housing Alliance reported that nationally in 2009, 16% of all fair housing complaints filed were based on familial status.

In order to not violate the Fair Housing Act's prohibition against discriminating against families with children, HUD and rental trade organizations have developed some guidelines for rental and property management companies to follow. The following are a few of these.

- All managers and staff should receive regular fair housing education updates. Rules and regulations change over time and it is best to keep up with these changes.



- Have reasonable rules and regulations for tenants. For example, a lease clause banning children from acting rowdy in the common areas unfairly singles out children. The rule should ban rowdy behavior altogether, regardless of whether it comes from children or adults.
- Another suggestion is an apartment application or sales process that asks prospects "how many children will be living in the apartment?". It is suggested that forms or verbal phrases used to inquire about occupancy should be phrased as such: "how many occupants will be in the apartment?"
- Another way to avoid liability is through advertising. For example, rather than print "no children allowed" when you are marketing a property for older persons use phrases such as "retirement community" or "housing for seniors".

These are just a few suggestions for welcoming families with children. Visit the website of the Miami Valley Fair Housing Center, Inc. at www.mvfairhousing.com for more information.

A Fresh Start for Homeowners continued...

tract voids, penalty and interest will be added to the remaining balance.

- Once a delinquent payment contract is completed, property owners are automatically enrolled in our Pre-payment Program. This enables owners to continue paying toward current taxes each month.

Our ultimate goal in introducing this new delinquent payment plan is to help more property owners succeed in paying their taxes in a timely manner. We remind them that their tax dollars fund important services in their community such as schools, fire, police, human services, libraries, parks, and local governments. We encourage them to see that as they succeed everyone succeeds and the Treasurer's Office is here to help them every step of the way.

Results

The Treasurer's Office introduced the new "Fresh Start" delinquent payment contract program in September 2011. Since September, 2,868 contracts have been established. These contracts will bring in \$927,168 each month with \$524,600 going toward annual taxes and \$402,568 going toward the delinquent taxes owed. The total delinquent tax-

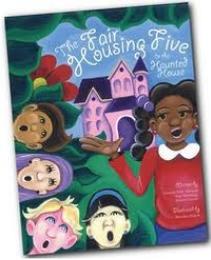
es pledged for payment by the property owners on the new delinquent payment plans equals \$10,140,687.

I am excited by the positive response citizens have shown toward our new Fresh Start Program. Many property owners have expressed relief that they will not receive two big real estate tax bills each year. Instead, breaking down their property tax obligations into monthly amounts makes it seem more manageable and less overwhelming. The public's response has truly been historic in nature. In one day alone, October 7th of last year, 299 property owners established new contracts. By making the plans available to people who had voided more than once on the old style payment contract program, we have truly given every citizen another opportunity to take control of their situation. Whatever financial challenges they face, we are doing our utmost to get the word out that it is critical for them to take action and understand their options. We are here to help citizens succeed and to collect taxes the community counts on to fund vital services.

For more information, you may contact me at:

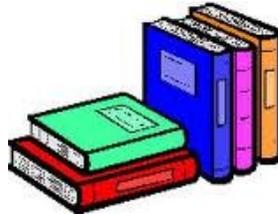
riceca@mcohoio.org or 937-225-4010 x 105.

The Book Corner



This issues selection is [The Fair Housing Five and the Haunted House](#) by the [Greater New Orleans Fair Housing Action Center \(GNOFHAC\)](#).

Samaria and her friends like everything about their clubhouse except the haunted house across the street. But when Samaria and her mother need to find a place to live, they realize they are dealing with a much bigger problem than ghosts or monsters. Join the Fair Housing Five as they work together to take creative action against housing discrimination in their community.



Celebrating life & health

This year marks the 10th Anniversary of the event. The event is free and open to everyone, regardless of sex, age, race, religion, or socio-economic status. Tickets are available in advance or at the door. Everyone gets a free meal complete with meat, potato, vegetables, drink and dessert. Participants in the health screenings are entered in a drawing for chances to win prizes. Come on April 21, 2012 at Sinclair Conference Center. See below for link to their website and more information.

Mark your calendars for these

UPCOMING EVENTS!



- March 3 [Family Expo](#) (Agency Fair for Families). The Expo provides informational resources and/or services to families who have children with special needs and will be held at the Miami Valley Regional Center, 4801 Springfield Street, Dayton 45431 from 9:00 am to 1:00 pm.
- March 24 Moraine Home Improvement Fair from 9:00 am to 2:00 pm at the Payne Recreation Center, 3800 Main Street, Moraine.
- April 5 [Fair Housing Month Celebration](#) — see story on page 1
- April 21 [Celebrating Life & Health](#) is a free community health fair and will again be held at Sinclair's Conference Center at the corner of Perry and Fourth Street in downtown Dayton. The event is open from 10:00 am to 3:00 pm.
- April 25 [31st Annual Greater Dayton Apartment Association Trade Show](#) will be held at the Presidential Banquet Center, 4572 Presidential Way, Kettering from 4:30 pm to 7:30 pm.

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.

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 the Miami Valley.

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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Visit Us on the Web

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Patrice Ficklin

Assistant Director for the Office of Fair Lending & Equal Opportunity

Consumer Financial Protection Bureau



Prior to her appointment as Assistant Director, Office of Fair Lending & Equal Opportunity at the Consumer Financial Protection Bureau, Patrice Alexander Ficklin was Counsel to the civil rights law firm of Relman, Dane & Colfax. There she supported the work of civil rights groups and also helped mortgage lenders and servicers ensure their compliance with the Fair Housing Act and Equal Credit Opportunity Act (ECOA). Prior to joining the Relman firm, Ms. Ficklin served as Associate General Counsel on Fannie Mae's fair lending team, where she advised clients in the single family business and credit policy divisions on predatory lending, fair lending and fair housing issues, and worked to extend mortgage credit to thin- and no-file borrowers.

During her tenure at the law firm of Wilmer, Cutler & Pickering (now WilmerHale) Ms. Ficklin practiced in the corporate transactions and employment law groups, and co-authored a Supreme Court amici brief on behalf of several prominent civil rights organizations in *Adarand Constructors, Inc. v. Peña*, a major affirmative action case. Finally, she served as an arbitrator of ECOA claims made by Black farmers in *Pigford v. Glickman*, a class action lawsuit against the U.S. Department of Agriculture. As a *Pigford* arbitrator, she presided over mini-trials and ruled on several farmers' claims of discrimination in the Department's lending programs, awarding monetary damages.

Ms. Ficklin is a graduate of Georgetown University and the Harvard Law School.