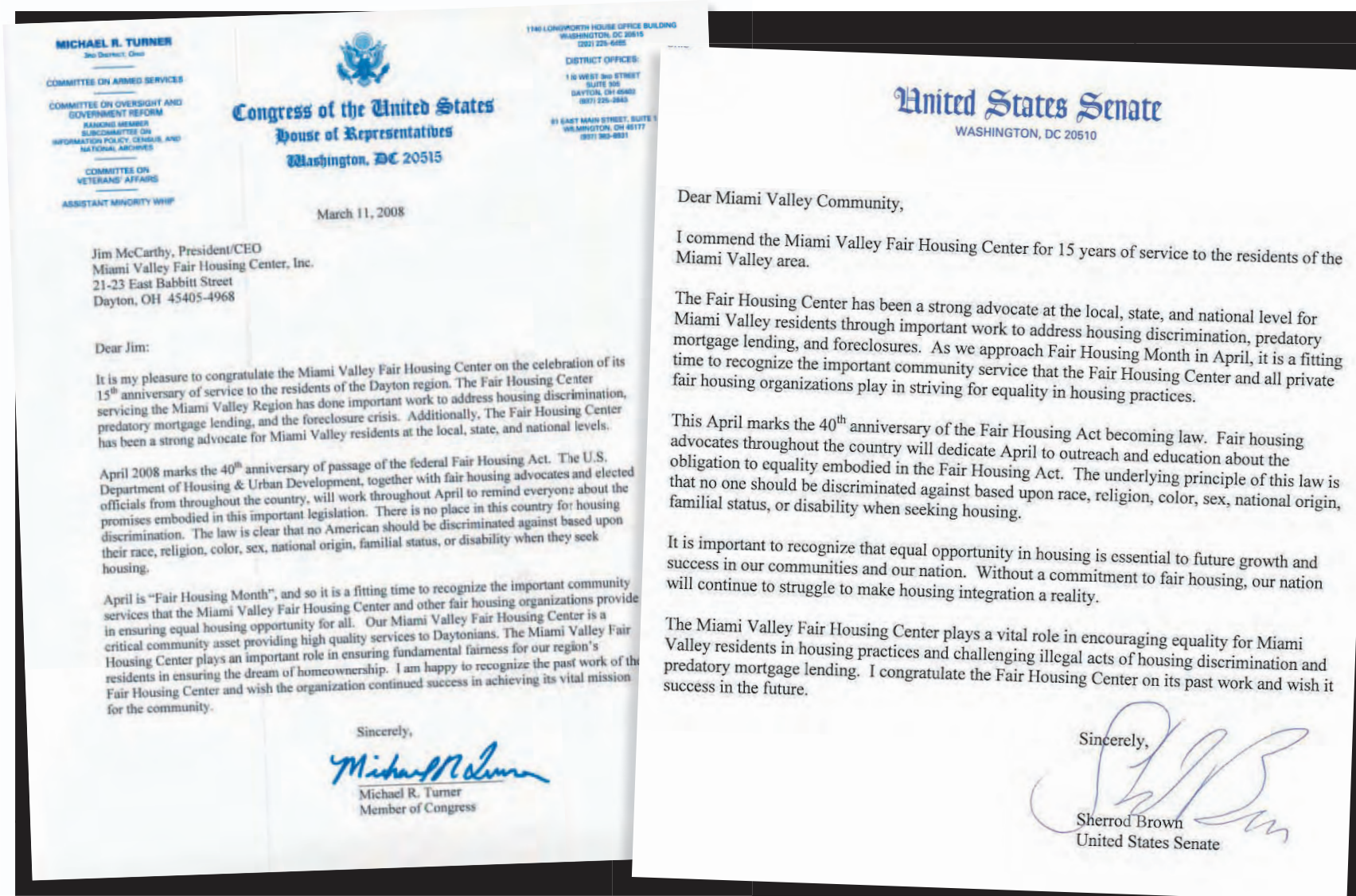




Celebrating the 40 years since the passage of the Federal Fair Housing Act
and the 15th anniversary of the Miami Valley Center's fight for

FAIR HOUSING

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Area congressmen offer congratulations to

Miami Valley Fair Housing Center

for 15 years of service

About this section

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On the cover

Photograph by Bernard J. Kleina

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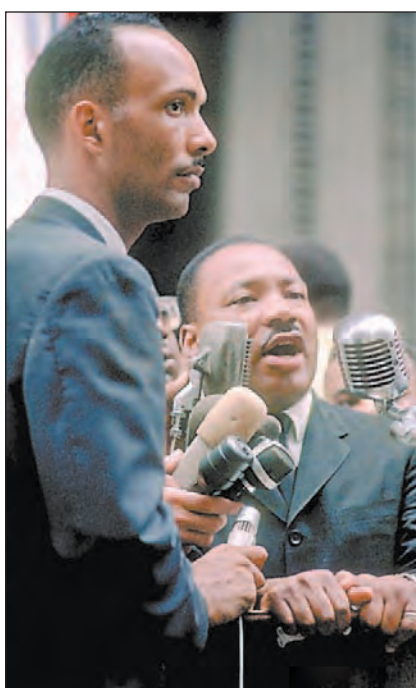
Contributed photos by Bernard J. Kleina

The Rev. Dr. Martin Luther King Jr. was instrumental in helping get the Civil Rights Act of 1968 passed. The law passed one week after King was assassinated in April 1968.



TOP: Marchers carry signs seeking fair housing during the Rev. Dr. Martin Luther King Jr.'s March for Open Housing in Chicago during the summer of 1966. LEFT: Al Raby (left) and the Rev. Jesse Jackson (right) walk in the July '66 fair housing march.

Celebrating the anniversary of the Fair Housing Act



Al Raby and the Dr. Rev. Martin Luther King Jr. during the March for Open Housing in July 1966.

Also known as the Civil Rights Act of 1968, law helped to prohibit housing discrimination

Contributed story

Special Section

On April 11, 1968, President Lyndon Johnson signed the Civil Rights Act of 1968, which was meant as a follow-up to the Civil Rights Act of 1964. The 1968 act expanded on previous acts and prohibited discrimination concerning the sale, rental and financing of housing based on race, religion, national origin, sex, (and as amended) handicap and family status. Title VIII of the act is also known as the Fair Housing Act (of 1968).

The enactment of the federal Fair Housing Act on April 11, 1968 came only after a long and difficult journey. From 1966-67, Congress regularly considered the fair housing bill, but failed to garner a strong enough majority for its passage. However, when the Rev. Dr. Martin Luther King Jr. was assassinated on April 4, 1968, President Lyn-

don Johnson utilized this national tragedy to urge for the bill's speedy Congressional approval. Since the 1966 open housing marches in Chicago, Dr. King's name had been closely associated with the fair housing legislation. President Johnson viewed the act as a fitting memorial to the man's life work, and wished to have the act passed prior to Dr. King's funeral in Atlanta.

Another significant issue during this time period was the growing casualty list from Vietnam. The deaths in Vietnam fell heaviest upon young, poor African-American and Hispanic infantrymen. However, on the home front, these men's families could not purchase or rent homes in certain residential developments on account of their race or national origin. Specialized organizations like the NAACP, the GI Forum and the National Committee Against Discrimination In Housing lobbied hard

for the Senate to pass the Fair Housing Act and remedy this inequity. Senators Edward Brooke and Edward Kennedy of Massachusetts argued deeply for the passage of this legislation. In particular, Senator Brooke, the first African-American ever to be elected to the Senate by popular vote, spoke personally of his return from World War II and inability to provide a home of his choice for his new family because of his race.

With the cities rioting after Dr. King's assassination, and destruction mounting in every part of the United States, the words of President Johnson and Congressional leaders rang the bell of reason for the House of Representatives, who subsequently passed the Fair Housing Act. Without debate, the Senate followed the House in its passage of the Act, which President Johnson then signed into law.

When April 1969 arrived, HUD could not wait to celebrate the act's first anniversary. In truly festive fashion, HUD

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A little history about the Fair Housing Movement

Contributed article

Special Section

The Fair Housing Movement

From 1967 until 1968, efforts to pass the nation's first comprehensive fair housing legislation were delayed in Congress and there was little hope of a fair housing law ever moving forward.

However, in the wake of the assassination of the Rev. Dr. Martin Luther King Jr. in April 1968 and the civil unrest that ensued, Congress passed Title VIII of the Civil Rights Act of 1968, also known as the Fair Housing Act.

The promise of this initial legislation was to promote a truly integrated society by making housing available regardless of a person's race, color, religion or national origin.

Forty years later, however, equal access to apartments, homes, mortgage loans and homeowner's insurance is still not a reality for many.

Legislative History

In its haste to pass the Fair Housing Act, Congress failed to establish an effective governmental enforcement mechanism for victims of housing discrimination.

The U.S. Department of Housing and Urban Development (HUD) had the primary responsibility for enforcement of the Fair Housing Act, but was only given the authority to attempt to conciliate the complaints. If the respondent refused to cooperate with HUD's inquiry, HUD had no power to compel the respondent to provide documents relating to the complaint or to issue a finding of discrimination.

The law also limited the Department of Justice to review and filing of only those complaints that indicated a pattern of discrimination. Consequently, the burden of providing enforcement of the Fair Housing Act fell to private attorneys and the less than 25 private, nonprofit fair housing organizations in existence at the time.

The Miami Valley Fair Housing Center is such a private, nonprofit fair housing organization, but was not one of 25 organizations in 1968.

The initial promise in 1968 to end housing discrimination and replace racially segregated neighborhoods with tru-

The Fair Housing Act

What Housing Is Covered?

The Fair Housing Act covers most housing. In some circumstances, the Act exempts owner-occupied buildings with no more than four units, single-family housing sold or rented without the use of a broker, and housing operated by organizations and private clubs that limit occupancy to members.

What Is Prohibited?

In the sale or rental of housing:

ly integrated communities was almost wholly unfulfilled. The act was amended in 1972 to provide protection based on gender/sex. And in 1988, President Ronald Reagan signed into law the Fair Housing Amendments Act that expanded fair housing protections to people with disabilities and families with children.

The amendments also established a significantly improved governmental enforcement mechanism. While conciliation was still offered as a means of resolving complaints, the new administrative enforcement process gave HUD authority to obtain documents through subpoenas and to issue a charge where reasonable cause existed to support a claim of housing discrimination.

Once a charge is issued, the complainant and respondent can elect to have the case heard before HUD's administrative law judge or in federal district court.

While the 1988 Amendments were under consideration, HUD recommended to Congress the creation of two programs designed to assist HUD in handling housing discrimination complaints. These programs were the Fair Housing Initiatives Program (FHIP) and the Fair Housing Assistance Program (FHAP).

The Private Fair Housing Movement

The Fair Housing Initiatives Program (FHIP) provides funding to private nonprofit fair housing agencies like the Miami Valley Fair Housing Center. FHIP funds are used for a variety of enforcement, education and outreach activities designed to help housing providers comply with the law and to

No one may take any of the following actions based on race, color, national origin, religion, sex, familial status or handicap:

- Refuse to rent or sell housing
- Refuse to negotiate for housing
- Make housing unavailable
- Deny a dwelling
- Set different terms, conditions or privileges for sale or rental of a dwelling
- Provide different housing services or facilities
- Falsely deny that housing is available for inspection, sale or rental
- For profit, persuade owners to sell or rent (blockbusting) or
- Deny anyone access to or membership in a facility or service (such as a multiple listing service) related to the sale or rental of housing.

assist housing consumers in identifying and reporting even subtle acts of housing discrimination. Private fair housing organizations, in partnership either with their local FHAP agency or with HUD, also can assist in the processing of complaints through investigation and testing, weed out non-meritorious claims, negotiate settlements and file claims in state or federal courts.

The Miami Valley Fair Housing Center is a member of the National Fair Housing Alliance (NFHA). NFHA serves as the umbrella organization for the network of private fair housing organizations.

In 2007, the Miami Valley Fair Hous-

ing Center was selected as one of HUD's performance-based FHIP grantees. As one of only 39 such grantees nationwide, the Miami Valley Fair Housing Center received a three-year grant to continue its important work in the Miami Valley community. This is critically important to realizing the promise of the Fair Housing Act in our community. The private, nonprofit fair housing movement is responsible for investigating the majority of housing discrimination complaints in the United States. In 2006, these fair housing groups handled more than 17,347 complaints. Without this network, HUD would be inundated with claims and complaints (both frivolous and valid), justice would be slow or absent for people with valid complaints, and challenges to systemic discrimination would be virtually non-existent.

FHAP allows HUD to contract with state and local human rights agencies in jurisdictions with laws that are "substantially equivalent" to the federal Fair Housing Act for investigating and conciliating housing discrimination complaints. In the Miami Valley area, The Ohio Civil Rights Commission and the Dayton Human Relations Council are both FHAP agencies.

You have a nice set of wheels but can't find a place to park them.



Landlords must allow you to make reasonable accommodations to ensure full use of your apartment. Telling you that you can't install grab bars and ramps is against the law. You can fight back.

If you suspect unfair housing practices, contact your local Fair Housing Center. Everyone deserves a fair chance.



(937) 223-6035
www.mvfairhousing.com

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hosted a gala event in the Grand Ballroom of New York's Plaza Hotel.

In subsequent years, the tradition of celebrating Fair Housing Month grew larger and larger. Governors began to issue proclamations that designated

April as "Fair Housing Month," and schools across the country sponsored poster and essay contests that focused upon fair housing issues.

This article was provided by HUD.gov. For more information about fair housing, please visit www.hud.gov/fairhousing.

After 15 years, Miami Valley Fair Housing Center's mission remains unchanged



Vice President John Zimmerman, Miami Valley Fair Housing Center



The exterior of the Miami Valley Fair Housing Center, located at 21-23 E. Babbitt St.



MVFHC paralegal Nicole Wilson (left) and Enforcement Coordinator Anita Schmaltz discuss work in the office. Contributed photos by the Miami Valley Fair Housing Center staff

‘Everyone has an equal right to housing opportunities, and that is what we are all about.’

By Kathy Tyler
Special Section

When the Miami Valley Fair Housing Center became a nonprofit organization 15 years ago, the mission was to eliminate housing discrimination and ensure equal housing opportunity for all people in the greater Dayton region.

During the past 15 years, the mission has not changed. Some of the terminology has changed and a new problem has arisen. But through education, assistance and cooperation, the MVFHC recognizes the importance of “home” as a component of the American dream.

“I have been working for the county since 1980 and I have seen all kinds of changes,” said Judy Mott, community development manager for Montgomery County and a member of the MVFHC Board of Directors. “We have the best staff and the best program I have recalled seeing since I have been with the program. Fair housing is not a popular subject. It is not isolated to the inner city or one ethnic group over another. This is hitting all levels of our population.

“Housing and fair housing issues are a little different,” Mott said. “We will always have what I call ‘not-in-my-backyard’-people. But what I have seen is most of the communities are much

more open to accepting a more diverse population with housing. The MVFHC staff has taken a more pro-active roll. They do training sessions; work with the Dayton area Board of Realtors, apartment association and other organizations to educate people. It’s been a lot of retraining. Everyone has an equal right to housing opportunities, and that is what we are all about.”

The MVFHC provides assistance to people who request an investigation into a situation when they think or feel that their race, color, religion, sex, national origin, familial status or disability was the basic motivation for differential treatment given by anyone associated with their search for hous-

ing. Professional counseling and guidance are also available to individuals who encounter discrimination in the search for housing, including informing the consumer of options under FHAA and providing support for the consumer while going through the process of asserting housing rights.

While confronting discrimination issues are an important part of MVFHC mission, predatory lending has also fallen into the fair housing category.

“Our general focus remains on discrimination in housing practice but in the last six to seven years we have been involved with predatory lending

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and foreclosing issues,” Mott said. “Programs have been created that are best practiced across the county to help people who have been victims of predatory lending. This is not an end to the problem but a start. We are taking baby steps, but we have been making some real progress.”

“I have been on the board for 10 years and the MVFHC has grown,” said Jim Ritterhoff, vice-chair of MVFHC Board of Directors and President of Simms Management Corporation. “The needs of this community for the services the center provides has grown as well. The center has played an important part to educate homeowners about predatory lending and how to avoid it. When you say ‘fair housing’, you think of discrimination of housing, but it’s really more than that. In the situation of predatory lending, it’s getting a loan that targets people with lower income and that has huge impact on the community. This center and others like this one in the state and on a national level are aware of the predatory lending problem, but it’s still relatively unknown to most people. Groups like us are concerned about citizens getting fair loans and access to fair mortgages that could have prevent-

MIAMI VALLEY FAIR HOUSING CENTER INC.

Who are we?

Miami Valley Fair Housing Center Inc. began as a program in Montgomery County in 1978 and was incorporated as a private not-for-profit corporation in 1993. The founders believed that individuals in this community needed assistance in asserting their legal rights to access the housing of their choice.

What is our mission?

To eliminate housing discrimination and ensure equal housing opportunity for all people in our region.

What is our vision?

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 discrimi-

ed all of this. There is a huge need for this. We are trying to help people get out of these loans and save their houses — their lifestyles.”

The MVFHC has always been

nation 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.

What was the founders’ stated purpose?

- To assist in the enforcement of laws whose purpose it is to ensure freedom of choice in housing for all persons regardless of race, color, religion, sex, familial status, disabilities or national origin
- To focus on the elimination of housing discrimination based on race, color, religion, sex, familial status, disabilities or national origin and promote open housing patterns everywhere

- To educate the public about the laws (regarding fair housing)

What do we do?

Every year, Miami Valley Fair Housing Center advocates for many individuals and families using mediation, litigation and, if necessary, filing complaints with the U.S. Department of Housing and Urban Development or the Ohio Civil Rights Commission.

Who does fair housing protect?

- Individuals
- Families
- Neighborhoods
- Communities

What does fair housing mean?

Fair housing means every person has the same opportunities to purchase, lease, or occupy residential property.

SOURCE: Miami Valley Fair Housing, Inc.

involved in educating the general public, home-selling professionals, apartment associations and board of Realtors by providing seminars both within and outside the center. The organi-

zation also continues to enforce fair housing laws, look for violations and provide testing within communities. It’s through these efforts that the push for equal housing is available for all.



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Law requires landlords to provide accommodations for companion/service animals for the disabled

Contributed article

Special Section

The Federal Fair Housing Act prohibits discrimination in housing on the basis of race, color, religion, sex, national origin, familial status, and disability. One type of disability discrimination prohibited by the Act is the refusal to make reasonable accommodations in rules, policies, practices or services when such accommodations may be necessary to afford a person with a disability the equal opportunity to use and enjoy a dwelling. Below we explore the issue of providing reasonable accommodations to keep companion/service animals.

Why do disabled individuals need companion/service animals?

Disabled people often need companion/service animals to help them perform daily activities. Such animals help the disabled cope with blindness, hearing loss, breathing difficulties, epilepsy, the inability to walk, and other

mobility impairments.

Companion/service animals may even be needed to lend comfort and/or emotional support. For example, a person suffering from depression may need a cat, a bird, or even fish to comfort them when they're feeling down. By allowing companion/service animals, fair housing laws allow the disabled resident an equal opportunity to use and enjoy housing as the non-disabled resident.

What kinds of properties are affected by these fair housing laws?

The simple answer is almost all properties. Fair housing laws apply to practically all owners and staff of private or conventional and federally-assisted housing.

What is a landlord required to do under these laws?

The law requires landlords to accommodate disabled individuals in a variety of ways. An individual with a physical disability may require a companion/service animal. Let's suppose the land-

lord doesn't allow pets in the rental property. However, the law requires that:

- if a current resident, or an applicant who is otherwise qualified to rent from the landlord asks to keep a companion/service animal to help with a disability; and
- proves that he or she is disabled; and
- proves that he or she needs the companion/service animal because of their disability;
- then the landlord must let them keep the companion/service animal, even if doing so would otherwise violate the lease or community rules;
- unless the companion/service animal would cause the landlord a large financial or administrative burden; or
- the companion/service animal would expose the landlord or residents to the threat of harm;

The law protects both residents and applicants. But only residents and applicants who ask to keep a companion/service animal. Remember, unless a resident or applicant requests a reasonable

accommodation to keep a companion/service animal, no special right to keep one arises.

The landlord has a right to know if the person requesting the companion/service animal is, in fact disabled. It is acceptable for a landlord to request reliable disability-related information, such as a letter from a doctor to establish that the companion/service animal is required. However, a landlord cannot unreasonably pry into the person's medical history. Typically, verification of the need for the companion/service animal can be provided by the individual himself or herself. A doctor or other medical professional, a peer support group, a non-medical service agency or a reliable third party who is in a position to know about the individual's disability may also provide verification of a disability.

For additional information about reasonable accommodations for disabled individuals, including accommodations for companion/companion/service animals, contact the Miami Valley Fair Housing Center at (937) 223-6035.



It's never this clear.

Instead, you'll hear things like: "Sorry, we just rented the last apartment." "There are several applications ahead of you."

"We seem to have misplaced your application."

Learn the signs of discrimination and fight back.

If you suspect unfair housing practices, contact your local Fair Housing Center. Everyone deserves a fair chance.

Miami Valley Fair Housing Center



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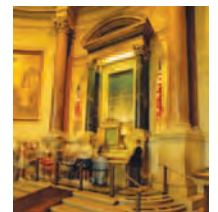
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Working to eliminate housing discrimination and ensure equal housing opportunity for all people in our region.

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Federal Fair Housing Act

April 3, 2008

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