

DAKOTA FAIR HOUSING

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Alternate formats will be available when requested.

The information in this publication is not itself legal advice; for legal advice about a particular situation, contact an attorney.

HUD-DOJ JOINT MEMO ON REASONABLE ACCOMMODATIONS

The Department of Justice ("DOJ") and the Department of Housing and Urban Development ("HUD") are jointly responsible for enforcing the federal Fair Housing Act (the "Act"), which 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. HUD and DOJ

frequently respond to complaints alleging that housing providers have violated the Act by refusing reasonable accommodations to persons with disabilities. This Statement provides technical assistance regarding the rights and obligations of persons with disabilities and housing providers under the Act relating to reasonable accommodations.

The full memo may be viewed at HUD's web site at: <http://www.hud.gov/utilities/intercept.cfm?offices/fheo/library/huddojstatement.pdf> or on the NDFHC's web site at: http://www.ndfhc.org/fair_housing/index.htm under publications.

INITIATIVE TO COMBAT POST-9/11 DISCRIMINATORY BACKLASH

US Department of Justice-Division of Civil Rights: The Assistant Attorney General for Civil Rights has directed the Civil Rights Division's National Origin Working Group to work proactively to combat violations of civil rights laws against Arab, Muslim, Sikh, and South-Asian Americans, and those perceived to be members of these groups, through the creation of the Initiative to Combat Post-9/11 Discrimina-

tory Backlash.

Since the terrorist attacks of September 11, 2001, members of these groups, and those perceived to be members of these groups, have been the victims of increased numbers of bias-related assaults, threats, vandalism and arson. Reducing the incidence of such attacks, and ensuring that the perpetrators are brought to justice, is a Civil Rights Division priority. The Division also has placed a priority on cases involving discrimination against Arab, Sikh, Muslim, and South-Asian Americans in employment, housing, education, access to public accommodations and facilities, and other areas within the Civil Rights Division's jurisdiction. More info: http://www.usdoj.gov/crt/legalinfo/nordwg_mission.html

A recent fair housing case: San Francisco, California—On January 14, 2004, the Civil Rights Division entered a consent order resolving its housing discrimination complaint against the San Francisco Housing Authority. The complaint had alleged that residents of public housing in San Francisco have been victims of racial, ethnic, and religious harass-

ment including verbal abuse, racial slurs, threats, assaults, vandalism, and robbery, and that the Housing Authority had failed to take reasonable steps to protect its tenants from this harassment. The complaint identified some of the victims of harassment as Iraqi and Muslim public housing residents, and alleged that the harassment had increased following the terrorist attacks of September 11, 2001. Under the consent order, the Housing Authority will modify its civil rights policies and employee training, and compensate the victims.

Information on additional cases brought to date by DOJ can be viewed at: <http://www.usdoj.gov/crt/legalinfo/discrimupdate.htm>

Information on federal protections based upon national origin can be accessed at: http://www.usdoj.gov/crt/legalinfo/nordwg_brochure.html

NDFHC WEB SITE

A number of publications are available on the NDFHC web site located at: www.ndfhc.org

Be sure to review information located under "What is Fair Housing" for copies of fact sheets, HUD memos and other important resources dealing with fair housing. A publications form is also available.

JUSTICE DEPARTMENT OBTAINS RECORD \$1.1 MILLION VERDICT IN SEXUAL HARASSMENT CASE

WASHINGTON, D.C. - The Justice Department today announced that a Kansas City, Missouri landlord was ordered to pay damages of over \$1.1 million for sexually harassing female tenants.

The jury awarded compensatory and punitive damages totaling \$1,102,804 to 11 female tenants who were found to be victims of landlord Bobby Veal's harassment. The individual damage awards ranged from \$10,001 to \$310,000. The verdict is the largest ever obtained by the Justice Department in a Fair Housing Act case.

The Justice Department filed suit against Veal in July 2002 in U.S. District Court in Kansas City for the Western District of Missouri. The complaint alleged that the defendant demanded sexual favors from tenants and evicted certain tenants who did not submit to his advances. During trial, Justice Department prosecutors presented evidence Veal had sexually harassed tenants since at least 1994. At the three-day trial, 11 former residents testified that Veal's actions included unwanted verbal sexual advances, unwanted sexual touching, asking for sexual favors in exchange for tenancy and threats to retaliate against women who refused his sexual advances. A former resident testified that Veal forced her to have sex twice in her apartment, once in the presence of her children.

"We will not tolerate landlords who use their power to prey on vulnerable tenants," said R. Alexander Acosta, Assistant Attorney General for Civil Rights. "The jury's verdict sends a clear message that the Justice Department will aggressively pursue any landlord who engages in this type of despicable conduct. Sexual acquiescence should never be the price of a roof over anyone's head."

Veal's wife and the co-owner of the

rental properties, Jewel Veal, was also named as a defendant in the lawsuit. Most of the victims are lower-income, single women who had limited opportunities to seek other housing, making them particularly vulnerable to harassment by a landlord.

The Justice Department will file a post-trial motion seeking civil penalties against the Veals as well as a court order requiring them to turn over the management and operation of their rental properties to an independent management company as well as other appropriate injunctive relief.

The Kansas City Missouri Human Rights Department brought this matter to the attention of the Justice Department after it received complaints from tenants at Mr. Veal's properties.

This is the third case in which the Justice Department has obtained a significant jury verdict for victims of sexual harassment by a landlord. In 1999, a Cleveland, Ohio jury awarded \$490,000 to tenants and former tenants of an Akron, Ohio landlord. And in 2002, a jury in Jackson, Mississippi awarded a \$451,208 verdict to victims of harassment by landlord in that city.

Since January 1, 2001, the Division has filed 119 cases under the Fair Housing Act, 6 of which have alleged sexual harassment in housing.

Persons who believe that they have been victims of sexual harassment in housing or other housing discrimination should call the Department of Housing and Urban Development at 1-800-669-9777 or the Department of Justice at 202-514-4713 or 1-800-896-7743. Additional information is available on HUD's website at www.hud.gov and the Justice Department website at www.usdoj.gov/crt/housing.

UPCOMING MEETINGS

Upcoming meetings of interest:

- July 29, 2004: Fair Housing Amendments Act & Accessibility Seminar, Sioux Falls, SD. Contact Ryan Green at 605-336-0494 for more information.
- September 28, 2004: Black Hills Area Multi Housing Association Fair Housing Workshop, Rapid City, SD. Contact Tracy Parkison at 605-343-7525 for more information.

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