

FAIR HOUSING UPDATE

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FAIR HOUSING NAME CHANGE

The North Dakota Fair Housing Council has officially changed its name to the Fair Housing of the Dakotas. In 2003, the organization expanded its duties to include both North and South Dakota as a service area. This name change more accurately reflects this service to both states. All other information for the Fair Housing of the Dakotas remains the same. Please update your information.

WORKSHOPS

Special thanks go out to everyone who attended the series of "Fundamentals of Fair Housing" workshops.

The workshops were held in the North Dakota communities of Bismarck, Devils Lake, Fargo, Grand Forks and Minot and the South Dakota communities of Aberdeen, Pierre, Rapid City and Sioux Falls. Over 650 people attended the workshops. Depending upon funding, we expect in 2006 to host another series of workshops in North and South Dakota. Details will be announced on our web site (www.ndfhc.org) and in

this newsletter.

RECENTLY FILED COMPLAINTS

The Fair Housing of the Dakotas (FHD) has assisted a number of North and South Dakotans in filing fair housing complaints this year. A brief description of the most recently filed complaints follows:

In January, the FHD assisted a Fargo, ND resident in filing a complaint alleging discrimination due to his national origin (Hispanic) through discriminatory statements and treatment by the property manager. The complaint also alleged a denial of a reasonable accommodation for a disabled child in the home. Pending.

In January, the FHD filed a complaint alleging discrimination against people with disabilities by a Bismarck, ND housing provider. The FHD had received an allegation of discrimination by a Bismarck resident alleging that people with disabilities who needed service animals were being denied rental at the property. The FHD conducted an investigation which supported the allegation and filed a complaint when the resident chose not to go forward. Case was settled with the requirement that the landlord attend fair housing training, adopt a nondiscrimination policy which included provisions on rea-

sonable accommodations and modifications and reimburse the FHD its investigative and future monitoring expenses.

In February, the FHD filed a complaint alleging discrimination against women by a Fargo, ND housing provider. The FHD had received an allegation of sexual harassment by a Fargo resident alleging that women were being sexually harassed and asked to exchange sex for rent. The FHD conducted an investigation which supported the allegation and filed a complaint when the resident chose not to go forward. Pending.

In February, the FHD filed a complaint alleging discrimination due to national origin by a Sioux Falls, SD housing provider who had advertised "no deadbeats or people who can't speak English" in a South Dakota newspaper. The FHD had received an allegation of discrimination by a Sioux Falls resident who had seen the ad. The FHD conducted an investigation which supported the allegation and filed a complaint. Pending.

In March, the FHD assisted a South Dakota resident in filing a complaint alleging discrimination due to disability in the refusal of a reasonable accommodation for a service animal by a Brandon, SD housing provider. Pending.

In March, the FHD re-

ceived allegations of inaccessible housing from a Vermillion, SD resident with a disability. The FHD investigated the allegations and confirmed that the two properties were not fully accessible to people with disabilities as required under law. One of the properties was still under construction while the other had been completed in 2004. The FHD filed complaints against the Vermillion, SD housing properties, their owners and contractors alleging lack of compliance with the design and construction accessibility requirements of the Fair Housing Act. Pending.

In March, the FHD filed a complaint alleging discrimination against people with disabilities by a Fargo, ND housing provider. The FHD had received an allegation of discrimination by a Fargo resident alleging that people with disabilities who needed service animals were being denied rental at the property. The FHD conducted an investigation which supported the allegation and filed a complaint when the resident chose not to go forward. Case was settled with the requirement that the landlord attend fair housing training, adopt a nondiscrimination policy which included provisions on reasonable accommodations and modifications and reimburse the FHD its investigative and future monitor-

ing expenses.

In March, the FHD filed a complaint alleging discrimination due to the presence of children by a West Fargo, ND housing provider who had advertised "not suitable for children" in a North Dakota newspaper. The FHD conducted an investigation which supported the allegation and filed a complaint. Pending.

In May, the FHD filed a complaint alleging discrimination due to the presence of children by a Mitchell, SD housing provider who had advertised "attn Senior citizens" in a South Dakota newspaper. The FHD conducted an investigation which supported the allegation and filed a complaint. Pending.

In May, the FHD filed a complaint alleging discrimination due to the presence of children by a Watertown, SD housing provider who had advertised "perfect for couple" in a South Dakota newspaper. The FHD conducted an investigation which supported the allegation and filed a complaint. Pending.

In May, the FHD filed a complaint alleging discrimination against people with disabilities and families with children by a Bismarck, ND housing provider. The FHD had received an allegation of discrimination by a Bismarck resident alleging that families with children were being charged different rental rates than those without children. During the investigation, the FHD also determined that people with disabilities were being discriminated against in the denial of reasonable accommodations for service animals. The FHD filed complaints when the resident chose not to go for-

ward. Pending.

In June, the FHD assisted a Bismarck, ND resident in filing a complaint of housing discrimination against his landlord for the denial of reasonable accommodations, harassment due to disability and retaliation for having filed a previous housing discrimination complaint. Pending.

In June, the FHD received allegations of inaccessible housing from a Sioux Falls, SD resident with a disability who had recently visited two Vermillion, SD properties. The FHD investigated the allegations and confirmed that the two properties were not fully accessible to people with disabilities as required under law. The FHD filed complaints against the Vermillion, SD housing properties, their owners and contractors alleging lack of compliance with the design and construction accessibility requirements of the Fair Housing Act. Pending.

In June, the FHD filed complaints alleging discrimination due to the presence of children by a Rapid City, SD housing provider who had advertised for a "quiet single occupant" in a South Dakota newspaper. The FHD conducted an investigation which supported the allegation and filed complaints. Pending.

ACCESSIBILITY SETTLEMENT REACHED

A Consent Order was entered January 7, 2005, resolving claims against two of the five main builders sued for designing and building rental housing in the Northfield Meadows subdivision of Bradley, IL that is inaccessible for disabled individuals who use wheelchairs. The Respondents have agreed to pay

the equivalent of \$275,000 to retrofit nine existing apartment buildings, redesign all future buildings planned for construction and to satisfy damage claims from the two plaintiff organizations. Some claims remain pending. The plaintiffs cited major design barriers of one or more steps from outside every one of the defendant's buildings at the common entrances and/or entrances to all individual units at the site. Also cited were several other violations regarding the design of the individual apartment's bathrooms, kitchens, interior doorways, and electrical and environmental controls that were not in compliance with the Fair Housing Act's accessibility standards. These federal laws have been in effect for all multi-family buildings since 1991.

FAIR HOUSING

The Federal Fair Housing Act makes it illegal to discriminate in the rental, sale or financing of housing due to a person's race, color, religion, national origin, gender, familial status and disability. North Dakota state law also protects age (40 and over) and status with respect to marriage and public assistance. South Dakota state law protects most of the federal protections and also protects due to creed and ancestry. For information on filing a housing discrimination complaint, contact the FHD (888-265-0907), ND Dept. of Labor (800-582-8032) or HUD (800-877-7353).



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