

# FAIR HOUSING UPDATE

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## UPCOMING ACCESSIBILITY TRAINING

The Fair Housing of the Dakotas and Paralyzed Veterans of America are sponsoring an all day Fair Housing Act Accessibility Guidelines Training in Rapid City, SD on August 29, 2006. This course is imperative for architects, builders, contractors, building inspectors and advocates to understand the New Design/Construction Requirements of the Fair Housing Act. The course is pending continuing education credits.

For more information on the training or to register, please contact the FHD at 1-888-265-0907 or visit our "Upcoming events" section on our web site at: [www.ndfhc.org](http://www.ndfhc.org)

## RECENTLY FILED COMPLAINTS IN NORTH & SOUTH DAKOTA

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 April, the FHD filed a

complaint alleging discrimination due to the denial of rental to families with children by a Sturgis, SD housing provider who was advertising "suitable for single". The FHD conducted an investigation which supported the allegation and filed a complaint. Complaint was conciliated in June, 2006 with agreement for housing provider to attend training and reimbursement of FHD investigative and filing costs.

In April, the FHD filed a complaint alleging discrimination due to the denial of rental to families with children by a Grand Forks, ND housing provider who was advertising "Older Residents Required". The FHD conducted an investigation which supported the allegation and filed a complaint. Complaint was conciliated in May, 2006 with agreement for housing provider to attend training and reimbursement of FHD investigative and filing costs.

In May, the FHD filed a complaint alleging discrimination due to the denial of rental to families with children by a Mitchell, SD housing provider who was advertising "retirement townhouse". The FHD conducted an investigation which supported the allegation and filed a complaint. Pending.

In June, the FHD received an allegation of housing discrimination by a Sioux Falls, SD resident against a Mitchell, SD

property. The allegation included the denial of rental due to the presence of children and due to race and national origin. The FHD conducted an investigation which supported that families with children, Native Americans and Hispanics were being denied rental and/or steered to other properties. When the Sioux Falls resident chose not to file, the FHD filed a complaint. Pending.

In June, 2006, the FHD filed and assisted a former Fargo, ND resident in filing a complaint of sexual harassment against a Fargo, ND housing provider. The allegations included sexual comments, unwelcome touching and sexual propositions. The FHD investigation also found additional evidence of sexual harassment. Pending.

In June, 2006, the FHD filed a complaint alleging discrimination due to the receipt of public assistance by a Grand Forks, ND housing provider who was advertising "No HAP". The FHD conducted an investigation which supported the allegation and filed a complaint. Pending.

In June, 2006, the FHD filed and assisted a Grand Forks, ND family in filing a complaint alleging discrimination due to the denial of a reasonable accommodation for a service animal. The FHD conducted an investigation which supported the allegations. Pending.

## RECENT RULING IN SOUTH DAKOTA

The FHD was recently issued notices by the US Department of Housing & Urban Development (HUD) that Probable Cause was found in a case involving a Vermillion, SD landlord's advertisement of "no minors" and his refusal to rent to families with children.

The complaint was originally filed with HUD by the Fair Housing of the Dakotas in September, 2005. The parties have elected to have the case heard in District Court. Pending. (Case Name: U.S. v. Hasse)

## BOARD OPENING

The Fair Housing of the Dakotas (FHD) is seeking applicants for a vacant Board of Director position. The vacant position is open to a South Dakota resident.

If you are interested in joining the Board, please contact Amy at 1-888-265-0907. There is a short application to be completed for Board review. The Board meets quarterly and member travel expenses are reimbursed if they live outside of Bismarck, ND.

## HUD NEWS

### Settlement Reached in Familial Status Case:

The complaint, filed by a resident of Silver Creek Mobile Estates in San Jose, California, alleged that the property manager subjected children to overly

restrictive rules. Allegedly, the property manager would not allow her children to ride scooters or bikes in the park, but would allow adults to do so. The parties resolved the complaint by entering into a conciliation agreement. In addition to paying the resident \$8,000, Silver Creek Mobile Estates also agreed to send its property manager to fair housing training, and communicate the provisions of the conciliation agreement to its employees.

**HUD Files Charge of Sexual Harassment Against Missouri Landlord:** HUD has charged a Richmond, Missouri, landlord with violating the Fair Housing Act for sexually harassing a female tenant. The Fair Housing Act makes it illegal to discriminate against persons based on their race, color, national origin, religion, gender, disability or familial status.

HUD charges that 85-year-old Harold Calvert, president of Calvert Properties, Inc., and manager of approximately 16 rental properties, subjected Lanesia Rowland to severe, pervasive, and unwelcome verbal and physical sexual advances. Rowland's children witnessed the unwanted advances on two occasions.

"We will not tolerate landlords who prey on vulnerable female tenants," said Kim Kendrick, HUD's Assistant Secretary for Fair Housing and Equal Opportunity. "This charge sends a clear message to all landlords that tenants should never be subjected to sexual harassment and that we will take action against landlords who engage in such despicable conduct."

HUD's investigation showed Rowland, a 33-

year-old female receiving Section 8 rental assistance from the Richmond Housing Authority rented Calvert's property in August 2003. On the day Rowland was moving in, Calvert stopped by the property and told Rowland he "could make her life easier." Calvert hugged and groped Rowland and attempted to kiss her. Rowland's 9-year-old daughter walked into the kitchen during the sexual advances.

HUD's investigation determined Calvert made additional unwelcome sexual advances to Rowland until she reported Calvert's conduct to the Richmond Police Department in January of 2004. Later that month, she sought and was granted an Ex Parte Order of Protection against Calvert in the Circuit Court of Ray County, Missouri. At a February hearing, Calvert consented to the judge's entry of a Full Order of Protection for Rowland, effective from February 2, 2004, until February 1, 2005.

After obtaining the Order of Protection, Calvert ceased making sexual advances to Rowland, but in April 2004 Rowland reported that Calvert continued to upset her by driving by her house nearly every other day. HUD's investigation also found at least six other female tenants were subjected to similar offensive sexual remarks, unwanted and inappropriate sexual contact, or requests for unwanted and inappropriate sexual contact. Calvert's alleged sexual conduct included offering to pay tenants for sex, requesting sex in exchange for rent or other favors, unwanted attempts to kiss and grope, placing a woman's hand on his private area, and re-

peated sexual intercourse with at least one female tenant.

"Unfortunately, we have seen similar cases in the past," said Kendrick. "Most of the alleged victims were low-income, single women who had limited opportunities to seek other housing. Fortunately, Ms. Rowland knew she could come to HUD for help." Additional information is available at

[www.hud.gov/fairhousing](http://www.hud.gov/fairhousing) and [www.usdoj.gov](http://www.usdoj.gov).

#### **VOLUNTEERS NEEDED**

The FHD is seeking volunteers to assist in gathering information on alleged discriminatory housing practices. Volunteers are paid a stipend for their time and services and receive training. Please contact Stacy at 1-888-265-0907 or 701-221-2530 if you are interested or want more information.

#### **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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