

North Dakota Fair Housing Council

Volume 11, Issue 2

February, 2005

NOTICE: The work that provided the basis for this publication was supported by funding under a grant with the U.S. Department of Housing and Urban Development. The substance and findings of the work are dedicated to the public. The author and publisher are solely responsible for the accuracy of the statements and interpretations contained in this publication. Such interpretation does not necessarily reflect the views of the government.

FAIR HOUSING NAME CHANGE

The North Dakota Fair Housing Council's Board of Directors has approved an organization name change to Fair Housing of the Dakotas. This name change will more accurately reflect our expanding duties in South Dakota.

We are currently in process of completing all the necessary forms and will announce when the name change is official in a future newsletter.

FAIR HOUSING ACCESSIBILITY TRAINING PROGRAM SCHEDULED

The US Department of Housing and Urban Development will be sponsoring a "Fair Housing FIRST Accessibility Conference" at the Holiday Inn in Fargo, ND on March 14-15, 2005. This will be the

only training of its kind sponsored in North or South Dakota.

The training was developed by a team of architects and other Fair Housing Act accessibility experts to provide critical information on various Fair Housing Act accessibility related subject matter. The curriculum includes general information as well as more specific technical information regarding the design and construction requirements, other disability rights laws and enforcement.

The training is free as long as you register in advance. Information can be obtained by contacting Oswald at the HUD-Fargo Office (701-239-5041) or by visiting the NDFHC's Events page at: <http://www.ndfhc.org/events.htm>

NEW FAIR HOUSING POSTER AVAILABLE AND OTHER PUBLICATIONS

The North Dakota Department of Labor's Human Rights Division has created a new fair housing poster specific to North Dakota titled, "Fair Housing in North Dakota." Posters are available by contacting the North Dakota Department of Labor at 1-800-582-8032 or 701-328-2660. The NDFHC has a limited number of these posters available which can be ordered by completing the NDFHC Publications Form enclosed with this newsletter.

The NDFHC has also

obtained new publications dealing with predatory lending and homeownership. If interested in these or any other publications, please complete the enclosed NDFHC Publications Form.

The NDFHC is also in process of translating the NDFHC brochure and fact sheets to Braille and will notify the public when these publications are also available.

FAIR HOUSING WORKSHOPS

The North Dakota Fair Housing Council is in process of confirming dates and locations for its "Fundamentals of Fair Housing" workshops. More information, including how to register, will be provided in late February/early March and on our web site.

LANDLORD FACES SEX HARASSMENT SUIT

BY CHARLES LASZEWSKI, St. Paul Pioneer Press, Dec. 17, 2004. The U.S. attorney's office filed a lawsuit Thursday against a Twin Cities landlord for allegedly sexually harassing female tenants.

Robert Wones, who has owned or managed a number of apartment houses in Minneapolis and its immediate suburbs, was named in a civil suit brought by the U.S. Department of Justice and U.S. Attorney Thomas Heffelfinger.

This is the second major sexual harassment case brought by the U.S. Justice Department in the Twin Cities.

Thursday's suit, filed in federal district court in Minneapolis, alleges that Wones, 64, subjected women to sexual touching and

advances and forced them to have sex with him if they wanted to rent one of his apartments. Wones "engaged in a pattern or practice of discrimination in housing based on sex by subjecting female tenants to severe, pervasive and unwelcome sexual harassment," the complaint said.

Wones' attorney, Mark Ohnstad, said Thursday he had no comment on the civil case.

Wones was one of several landlords profiled by the Pioneer Press in August 2002 in a series of stories that focused on a growing problem: landlords who allegedly exploited the tight housing market and subjected women, most of them single mothers, to everything from inappropriate comments to demands for sex to avoid being forced into the street.

James Wilkinson of the Housing Discrimination Law Project at the Legal Aid Society of Minneapolis brought several suits against Wones by female tenants. He was pleased by the federal action, which was brought on behalf of about a half-dozen women who haven't sued Wones before.

"I'm pleased to see they continue to pursue these cases, especially since they are in a position to insist that persons engaging in that type of behavior get out of the business entirely," Wilkinson said of the Justice Department.

The women who brought the earlier private suits described similar encounters with Wones in his Northeast Minneapolis office. Desperate for a place for themselves and their children, the women

would be asked to perform sexual acts, often being led to a room in the office basement with a pull-out bed where Wones would have sex with them, according to testimony in those cases.

In the three earlier suits, Wones denied doing anything wrong but reached a settlement. The terms of the settlement were sealed.

Wilkinson said the sexual harassment cases continue to cross his desk, even though the housing market has loosened and tenants have more apartments from which to choose.

Some women still don't feel they have many options. One of his current cases involves a woman who moved into an apartment after living in a shelter and was sexually harassed but didn't think she had a choice, he said.

Two weeks ago, the government settled a case it brought in 2003 against St. Paul landlord David Beaudet for allegedly sexually harassing tenants. He denied any wrongdoing but agreed to pay \$425,000 and hire a management firm to run his properties.

Charles Laszewski can be reached at claszewski@pioneerpress.com or 651-228-5458.

PREDATORY LENDING

Discrimination in mortgage lending is prohibited by the federal Fair Housing Act and HUD's Office of Fair Housing and Equal Opportunity actively enforces those provisions of the law. The Fair Housing Act makes it unlawful to engage in the following practices based on race, color, national origin, religion, sex, familial status or handicap (disability): Refuse to make a mortgage loan;

Refuse to provide information regarding loans; Impose different terms or conditions on a loan, such as different interest rates, points, or fees; Discriminate in appraising property and/or Refuse to purchase a loan or set different terms or conditions for purchasing a loan.

Subprime Lending: Subprime loans play a significant role in today's mortgage lending market, making homeownership possible for many families who have blemished credit histories or who otherwise fail to qualify for prime, conventional loans. A recent HUD analysis, based on HMDA and related data, shows that the number of home purchase subprime applications increased from 327,644 in 1997 to 783,921 in 2000.

While the subprime mortgage market serves a legitimate role, these loans tend to cost more and sometimes have less advantageous terms than prime market loans. Additionally, subprime lenders are largely unregulated by the federal government. Data shows blacks are much more likely than whites to get a subprime loan, and many of the borrowers who take out these loans could qualify for loans with better rates and terms. As such, many have expressed fair lending concerns about the subprime market. Read more on subprime lending on HUD's web site. www.hud.gov

Predatory Lending: Some lenders, often referred to as predatory lenders, saddle borrowers with loans that come with outrageous terms and conditions, often through deception. Elderly women and minorities frequently report that they have been targeted, or preyed upon, by these lenders. The typical predatory loan is: (1) in excess of those available to similarly situated borrowers from other lenders elsewhere in the

lending market, (2) not justified by the creditworthiness of the borrower or the risk of loss, and (3) secured by the borrower's home. HUD is working hard to fight against predatory lending.

Minority Homeownership: HUD is committed to increasing homeownership opportunities for all Americans. HUD is engaged in a special effort to boost the minority homeownership rate since the rate for black and Hispanic Americans lags behind that of others.

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 NDFHC (888-265-0907), ND Dept. of Labor (800-582-8032) or HUD (800-877-7353).

NDFHC BOARD OF DIRECTORS

Teresa Larsen,
Acting President

Gregory Ian Runge,
Secretary/Treasurer

Cheryl Bergian

Mark Bourdon

Ryan Green

Brad Peterson

Carol Reed

Susan Shirek

STAFF

Amy Schauer Nelson
Executive Director

Carol L. Mihulka
Office Manager/Administrative
Assistant

Stacy Gieser
Housing Coordinator

DAKOTA FAIR HOUSING
North Dakota Fair Housing
Council, Inc.
(serving North and South
Dakota)

533 Airport Road, Suite C
Bismarck, ND 58504
Phone: 701-221-2530

Toll Free:

1-888-265-0907

FAX: 701-221-9597

E-Mail: ndfhc3@btinet.net

Website: www.ndfhc.org

North Dakota TDD: 1-800-927-9275

South Dakota TDD: 1-866-273-3323

North Dakota Relay: 1-800-366-6889 (Voice)

South Dakota Relay: 605-367-5760 or 1-800-642-6410 (Voice)

*Newsletter Published Quarterly—
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.*