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## Vermillion landlord faces Fair Housing violation

By Alicia Ebaugh Journal staff writer

A Vermillion, S.D., landlord has been charged with violating the Fair Housing Act for refusing to rent to families with children.

The complaint against Paul Hasse, owner and manager of an eight-unit apartment building at 816 W. Main St. in Vermillion, was filed in September 2005 with the U.S. Department of Housing and Urban Development by Fair Housing of the Dakotas, a nonprofit organization that works to eliminate housing discrimination.

Testers working for Fair Housing of the Dakotas contacted Hasse based on "discriminatory language" in rental ads he placed in the Vermillion Broadcaster that specified, "no smokers, pets, minors or deadbeats," said Bryan Greene, HUD deputy assistant secretary for enforcement and programs. The ads ran in August and September of 2005.

Hasse said the allegations against him are "mostly correct," but his policy asking no minors live at the complex, which he has rented out since it was built in 2000, was based on safety concerns and the kind of people he already had living at the complex.

"I rent to mostly senior citizens ... I didn't know I was violating federal law," he said. "I had seen ads for housing that allowed seniors only."

The apartments are located 12 feet from an 80-foot bluff overlooking the Missouri River, Hasse said. With children playing in the area, he said his liability and the chance of injury increase greatly.

Greene said Hasse's property does not meet the criteria to be an exempt property for housing for older persons, therefore it is subject to all state and federal discrimination laws.

"If you're in the business of renting property, it's incumbent on you to learn the law," Greene said.

The Fair Housing Act makes it illegal to discriminate against persons based on their race, color, national origin, religion, sex, disability or family status.

The HUD document said that Aug. 23, 2005, a tester on contract with Fair Housing of the Dakotas called Hasse's phone number regarding renting the apartment for herself and her two daughters. The man who answered indicated he had three restrictions: "no pets, no smoking and no kids." He said he didn't want any kids because there was not a playground on the property and all the other renters are adults, the document states.

On Aug. 25, a second tester called Hasse to inquire about the apartment, and Hasse indicated it was still available but with the same three restrictions. When she said it would be for herself, her husband and her mother, Hasse provided a few more details about the property, including amenities and rent, and offered to show the unit to the tester, the document states.

HUD and Fair Housing of the Dakotas attempted to settle the case with Hasse before filing charges against him, Greene said.

"It's required by law that we make an effort to resolve the matter before it goes to court," he said. "Generally, we try to bring the parties together to come to an agreement that would be satisfactory for both ... it could be monetary, and it could also include the offer of an apartment."

Hasse said when the testers attempted to settle the case with him, they requested \$2,000. He wasn't sure where the money would be going, so he said he didn't want to pay it.

"Did they get the money? I didn't know," he said. "If there was a \$50 fine or something from the government, I would have paid it."

Housing discrimination charges heard before a HUD administrative law judge can carry a maximum civil penalty of \$11,000 for a first offense, in addition to damages for each complainant and attorneys' fees.

Hasse said he chose to take the case before the HUD court because "(the women) never said they wanted the apartment, and I never said no."

"I guess it was just my advertising that got me," he said. "They were just looking for someone, I think ... it's like a bounty hunter."

His case will be heard Oct. 11. If they wish, either Hasse and Fair Housing of the Dakotas can choose by Aug. 7 to take the case to U.S. District Court.

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