

Fair Housing Update

Fair Housing of the Dakotas

Volume 15, Issue 4

November, 2009

As Published by the Fair Housing of the Dakotas

BOARD MEMBER GORDON JONES PASSES

The Fair Housing of the Dakotas was saddened to learn of Board Member Gordon Jones' recent death. Mr. Jones was a passionate supporter of the work of the FHD and other social justice issues. We will greatly miss him.

The following obituary is from the *Moody County Enterprise*:

Gordon J. Jones, 78, of Flandreau, died Tuesday, October 6, 2009 at Flandreau Medical Center.

Gordon was born July 23, 1931 at Poplar, MT to Harry and Bessie (Eastman) Jones. His parents were missionaries and he received his education in Poplar, Flandreau, and graduated from Oglala Community High School, Pine Ridge, in 1949. He joined the Army Air Corp and was discharged from the Air Force in 1954. He worked in California for an aircraft company and then returned to Pine Ridge and worked as a Police Officer. He worked for the Aberdeen Area Office of the Bureau of Indian Affairs at various assignments until retiring in 1980. Gordon was a member of the Flandreau Santee Sioux Tribe where he was tribal chairman in 1970-72, and a former treasurer, trustee, judge, and was the executive director of the gaming commission until 1999 where he developed the National Indian Gaming Regulations.

He served on various state and national boards of the Presbyterian Church, VFW, where he received the Tice-Gallagher Award in 1984, American Legion where he was state chaplain, member of the South Dakota Human

Rights Commission and the Tourism and Public Broadcasting Commission. Governor Bill Janklow proclaimed April 15, 2002 as Gordon Jones Day. Gordon was active in community affairs and was a member of several service organizations including Kiwanis, Shriners, VFW, American Legion, American Indian Veteran Lodge and the Flandreau Bible Church.

Gordon is survived by his wife, Judy Jones, Flandreau; four children, Alan (Jennifer) Jones, Perkin, IN, Marci (Dale) Eng, Flandreau, Gordon (Linda) Jones, Flandreau and Charles (Melissa) Jones, Flandreau; 23 grandchildren; 9 great-grandchildren; one brother, John (JoAnn) Jones, Sioux Falls and one sister, Pearl Wakeman, Flandreau. He was preceded in death by his parents; two grandchildren, Jacob and Isabelle; three brothers, Richard, Harry Jr., Walter and a sister, Elaine.

UPDATE ON PREVIOUSLY FILED CASES

In August, the State of North Dakota, the Fair Housing of the Dakotas and a Fargo resident reached a settlement with a Fargo, ND housing provider regarding allegations of sexual harassment against women. The case reached a settlement of \$260,000 for the plaintiffs including attorney's fees. The Respondents also agreed to no longer own or manage rental property. The Respondents denied all allegations. (Case No. 09-07-C-1338)

In October, the US Department of Justice, the Fair Housing of the Dakotas and a Sioux Falls, SD resident reached a

Fair Housing of the Dakotas (FHD) is a non-profit organization serving North and South Dakota with a mission to work to eliminate housing discrimination and to ensure equal housing opportunities for all. The FHD provides assistance to individuals pursuing legal rights and remedies related to fair housing, offers housing assistance and counseling, provides community education, promotes community involvement and performs research in the area of housing.

CONTACT INFO

Phone: 701-221-2530

Toll Free: 1-888-265-0907

FAX: 701-221-9597

E-Mail: info@fhdakotas.org

Web: www.fhdakotas.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

1-800-877-1113 (Voice)



settlement with a Sioux Falls, SD housing provider regarding allegations of race and familial status discrimination. A settlement of \$50,000 including attorney's fees was reached as well as agreed non-monetary items. A civil penalty of \$9,000 was also agreed to by the Respondents. The Respondents admitted no wrongdoing in the settlement. (Case No. CIV 08-4175)

FHD WELCOMES NEW EXECUTIVE DIRECTOR

Kourtney Hollingsworth has recently joined the Fair Housing of the Dakotas in the position of Executive Director. Ms. Hollingsworth was formerly a Test Coordinator for Mississippi Legal Services. She received her undergraduate from Mississippi State University and her Masters of Business Administration from William Carey University in Gulfport, MS.

Hollingsworth brings a strong fair housing background and commitment to social justice issues. The FHD Board and Staff are pleased to welcome her to the FHD.

BOARD OPENING

The Fair Housing of the Dakotas (FHD) is seeking a South Dakota applicant for a vacant Board of Director position. If you are interested in joining the Board, please contact Kourtney at 1-888-265-0907 or 701-221-2530. There is a short application to be completed for Board review. The Board meets quarterly and member travel expenses for Board activities are reimbursed if they live outside of Bismarck, ND.

The Fair Housing of the Dakotas (FHD) is a non-profit, grassroots organization serving North and South Dakota with an office located in Bismarck, ND. The FHD began fighting housing discrimination in the State of North Dakota with its incorporation in 1995. In March, 2003, the FHD also began fighting housing discrimination in the South Dakota counties located east of the Missouri River, and beginning December, 2004, covered all of South Dakota. In June, 2005, the organization's name was changed from the "North Dakota Fair Housing Council" to the "Fair Housing of the Dakotas" to reflect its project area of both North and South Dakota.

The mission of the Fair Housing of the Dakotas is to work to eliminate housing discrimination and to ensure equal housing opportunities for all.

NELSON DEPARTS THE FHD

Amy Schauer Nelson has left the Fair Housing of the Dakotas. Ms. Nelson has taken a position with Housing Opportunities Made Equal of Richmond, VA.

Nelson served as Executive Director of the FHD from December, 1997-October, 2009. Under Nelson's tenure, the FHD had several precedent setting cases addressing housing discrimination; settled cases to require retrofitting of otherwise inaccessible properties to people with disabilities; expanded to South Dakota in 2003 to provide needed fair housing services to South Dakota residents; became a nationally known organization for effective fair housing en-

forcement; had several impact setting sexual harassment cases reaching just remedies for victims; and conducted numerous fair housing trainings, drafted several publications and a popular web site for fair housing information. Nelson remains committed to fair housing and will continue to work to ensure a successful transition for the FHD.

An outgoing message by Nelson is posted on the FHD web site.

NEWS FROM HUD

Below is information on recent HUD charges of housing discrimination:

HUD Brings Race Discrimination Charges in South Dakota. HUD has charged the owners and employees of a Sioux Falls, South Dakota, apartment complex, with violating the Fair Housing Act for harassing an African-American family residing at the complex and for using vile racial epithets in the presence of the family. The HUD charge also alleges the employees intimidated and retaliated against white residents who defended and assisted the African-American family.

HUD Charges Owners and Managers of Ohio Apartment Complex For Refusing to Tell Blacks About Available Rentals. On September 28th, HUD charged the owners and managers of a 64-unit townhouse property in Sagamore Hills, Ohio with discrimination for refusing to tell African-Americans homeseekers about available rental units. In the summer of 2008, two separate African American homeseekers sought to rent units at the property. Despite phone calls and in person visits from potential appli-



cants, the manager and part-owner of the property, informed them that nothing was available. One of the homeseekers contacted Fair Housing Advocates, a fair housing organization in Ohio to report suspected discrimination, and the organization used testers to investigate. On four different occasions the manager informed a white tester that a unit was available for rent and allowed her to tour a unit twice. Over the same period, Hunt informed the African American tester that nothing was available.

HUD Charges Owners of the Short Term Rental Housing for Refusing to Rent to Women. On September 22nd, HUD charged the co-owners of a short term housing complex in Temperance, Michigan, for refusing to rent to tenants because of their sex. HUD alleges that the co-owner violated the Fair Housing Act when he refused to rent to a female applicant and multiple fair housing testers, explaining that he did not rent to women. During the course of the investigation, Mr. Parker verified that it was his policy not to rent to women and he would sooner close his business than allow women to rent there.

HUD Charges Nevada Newspaper Company for Discriminatory Advertisements. On September 28th,

HUD charged Lee Enterprises and Elko Daily Free Press with publishing statements that discriminated against families with children. On November 7, 2008 the Elko Daily Free Press, a free daily newspaper in Elko, Nevada, with a daily circulation of 5,803, published an advertisement for a two bedroom unit that said "No Kids, No Pets." Silver State Fair Housing Council, a fair housing organization in FHIP, saw the advertisement, conducted testing, which showed discrimination, and filed a complaint with HUD.

HUD Charges Texas Landlord for Advertisements that Discriminated Against Families with Children. On September 29, 2009, HUD charged the owner of 13 residential properties in Wichita Falls, Texas, with publishing an advertisement in the Thrifty Nickel Classified website that said "no pets or children." The Austin Tenants Council, a fair housing organization, saw this advertisement in April 2008 and filed a complaint with HUD.

HUD Charges Buffalo Landlord for Discriminatory Ads. On September 29, 2009, the Department charged the owner of a duplex rental in Buffalo, New York, with violating the Fair Housing Act by posting an ad on craigslist as "looking for a unique individual or couple"

to rent a three-bedroom unit. After reading the ad, the nonprofit organization, Housing Opportunities Made Equal, sent two testers to inquire about the rental. Mr. Guido refused to rent to the tester with two children and offered the apartment to the tester who planned to live with two other adults.

HUD Charges Illinois University with Refusing to Allow a Service Dog. On September 18, 2009, HUD charged Millikin University in Decatur, Illinois, with housing discrimination for refusing to allow a student with epilepsy and blindness to live in a dormitory with her trained service dog. Catherine Nielsen obtained a service dog to assist her in the event of an epileptic seizure. But once she had the dog, Millikin University prevented her from even entering the dormitory building with the dog, requiring Ms. Nielsen to vacate her room if she wanted to keep the animal and commute to school from her parents' home. Later, the University relocated Ms. Nielsen to an inaccessible dormitory.

More information on these cases can be found at: www.hud.gov/offices/ftheo/

FHD BOARD OF DIRECTORS

President: Ryan Green, Sioux Falls, SD ('09)

Vice President: Susan Shirek, Grand Forks, ND ('09)

Secretary/Treasurer: Carol Reed, Bismarck, ND ('10)

Cheryl Bergian, Fargo, ND ('10)

Mark Bourdon, Fargo, ND ('10)

Teresa Larsen Bismarck, ND ('10)

Brad Peterson, Bismarck, ND ('09)


Gregory Ian Runge, Bismarck, ND ('09)

STAFF

Kourtney W. Hollingsworth, Executive Director


Tracie L. Shaw, Office Manager

Stacy M. Gieser, Housing Coordinator



Fair Housing of the Dakotas

909 Basin Avenue, Suite 2
Bismarck, ND 58504



**This Newsletter is also available
at www.fhdakotas.org in pdf
format**

FAIR HOUSING LAWS

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 Fair Housing of the Dakotas (1-888-265-0907), the ND Dept. of Labor (1-800-582-8032) or HUD (1-800-877-7353).

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.

WEB SITE & PUBLICATIONS

The FHD web site located at www.fhdakotas.org has several publications online regarding fair housing. Choose our "What is Fair Housing" link to view the list of publications online. Publications are also available through postal mail by completing our Publications Form available online or by contacting the FHD Office.

The web site also includes updates on upcoming events or trainings, state legislation of interest, past newsletters, press releases, and numerous web links to other

organizations.

DISCLOSURES & NOTICE

Newsletter Published Quarterly. Alternate formats will be available when requested. The information in this publication is not legal advice; for legal advice about a particular situation, contact an attorney.

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.