

The Chuckwagon

a quarterly production by

MONTANA FAIR HOUSING

Volume 34/May 2003

In true Montana spirit, the Chuckwagon . . . the newsletter to fill your fair housing appetite.

Tales Roun' the Campfire

A synopsis and/or update of cases filed with the Montana Human Rights Bureau (HRB), the Department of Housing and Urban Development (HUD), and/or federal or district court. This synopsis is not necessarily all inclusive . . .

MFH/Liston v. Twite Construction, Scott Twite Construction, C & L Trust, Lloyd A. Twite Family Partnership, Scott Twite, Lloyd Twite, Fidelity Management, Jerrell D. Ballas, FBB Architects, DJ & A, Geoffrey Bayliss, Delores Bayliss - Complaints were filed in April 2003 in Federal District Court and with the Department of Housing and Urban Development alleging design and construction, marketing and management violations at the Miller Creek View Addition and the Fairway View Addition in Missoula. MFH alleges that the complexes do not comply with the federal Fair Housing Amendments Act which requires housing built for first occupancy after March 1991 be designed and constructed in compliance with access requirements of the Act.

MFH/Liston v. City of Missoula Building Department - Filed with the Department of Labor/Montana Human Rights Bureau in May 2003, this complaint alleges the department has violated the rights of persons with disabilities by permitting and licensing the design, construction and occupancy of certain residential real properties in the Miller Creek View Addition and Fairway View Addition subdivisions in Missoula. The complaint alleges that the department permitted and continues to permit the design and construction of housing in a manner which does not enforce compliance with the nondiscrimination provisions of Title 49 of the Montana Human Rights Act prohibiting discrimination against persons with disabilities.

Fisher vs. Carrie Lynn Estates - An administrative complaint was filed in April with the Montana Human Rights Bureau against the owners and operators of a mobile home park located in Billings. The complaint alleges that William Bennett and Gary Bennett, owners of the mobile home park, denied housing to the complainant because of his age.

Roundin' 'em Up

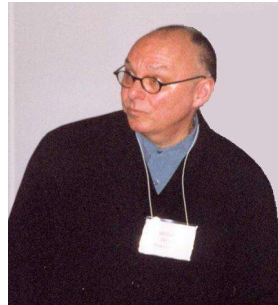
Articles and/or local or national events to ensure our readers are keeping abreast of new information.

Montana Fair Housing's Annual Conference, Housing Conference 2003, was held in Bozeman this year and focused on the design and construction provisions of the federal Fair Housing Amendments Act of 1988, Reasonable Accommodations and Modifications, Advertising provisions, and the Montana Landlord and Tenant Act.

The Accessibility Guidelines of the Fair Housing Amendments Act require all covered multifamily housing built for first occupancy after March 13, 1991 meet basic accessibility and adaptability design. Dwellings covered by the Act must be designed and constructed in a manner that ensures:

- 1) public and common use portions of covered multifamily dwellings are readily accessible to and usable by persons with disabilities;
- 2) all doors designed to allow passage into and within the dwellings are usable by persons using wheelchairs for mobility;
- 3) all covered dwellings contain adaptive design features including:
 - a) an accessible route into and through the unit;
 - b) light switches, electrical outlets, thermostats, and other environmental controls in accessible locations;
 - c) reinforcements in bathroom walls allowing for the installation of grab bars;
 - d) usable kitchens and bathrooms such that an individual in a wheelchair can maneuver about the space.

William Worn of Accessibility FIRST provided participants with over nine hours of training and material addressing accessibility and adaptability requirements of the Fair Housing Amendments Act. Mr. Worn is an architect specializing in the integration of social science techniques into the architectural process. His firm focuses on the design of affordable multifamily housing, market rate multifamily housing, and senior's housing with an expertise in architecture for people with disabilities. Mr. Worn has nationally influenced the content and application of laws affecting the civil rights of people with disabilities and provided consulting and reviews for entities such as HUD and DOJ.



Michael Evans graduated from Stanford Law School in 2000. He clerked for the Honorable Raymond C. Fisher on the United States Court of Appeals for the Ninth Circuit and currently is an associate at the law firm of Brancart & Brancart in Pescadero, California. Mr. Evans provided training and materials covering the Advertising, and Reasonable Accommodation and Modification provisions of the Fair Housing Amendments Act.



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Bob Liston, Executive Director
 Pam Bean, Project Coordinator
 Sarah Etzel, Investigation Specialist
 Anna Sage, Intake Specialist

YES I want to support the efforts of Montana Fair Housing toward reducing the occurrence of housing discrimination in Montana. Enclosed is my tax-deductible membership contribution:

- limited income - \$10
- individual membership-\$25
- family membership - \$35
- nonprofits - \$50
- individual sponsor - \$200
- corporate friend - \$250
- corporate sponsor - \$500
- other: _____

Name: _____

Address: _____

City: _____

State/Zip: _____

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Klaus Sitte is the Executive Director for Montana Legal Services Association, a legal services provider for Montana's low-income people. Klaus has practiced landlord/tenant law for nearly 30 years and is a coauthor of the 1977 Montana Residential Landlord and Tenant Act and author of *FOR RENT: The Complete Montana Landlord and Tenant Guide*, a book widely used by justice court judges, county attorneys and private attorneys in Montana. *FOR RENT* is considered by many to be an essential tool for practicing law in Montana. Klaus coaches the University of Montana Law School ABA Negotiation Team [his Team finished second in the nation in 2003] and serves as Adjunct Faculty at the School. Klaus received his J.D. from the University of Montana Law School in 1972.



Evelyn Meininger, Director of the Denver Fair Housing and Equal Opportunity Hub, Department of Development, provided Conference. Under her leadership the Denver Hub has significantly reduced the aged-case load for Title VIII cases and to Fair Housing She has opened the telephone presence for HUD funded housing She has implemented a risk compliance reviews of developments. She has increased the outreach to offer a "live" customers and clients, and assessment model for HUD funded housing



Mary Marry of Clark Fork Realty in Missoula was nominated for, and received, Montana Fair Housing's first

"Duh . . . It's The Right Thing To Do Award"

for positively promoting fair housing and furthering fair housing endeavors in the State of Montana.



Montana Fair Housing thanks our speakers for their commitment to Fair Housing and support for our organization. We also wish to thank volunteers who helped make the conference a success, including our photographer Jack D. Lewis, and the Montana Association of Realtors for their financial contribution supporting the awards dinner.

BUSH ADMINISTRATION AWARDS \$259,481 IN A NEW FAIR HOUSING GRANT TO CONTINUE FIGHT AGAINST HOUSING BIAS IN MONTANA

The Department of Housing and Urban Development's fight against illegal housing discrimination in America got a boost today with the announcement of a \$259,481 grant to Montana Fair Housing, Inc., a fair housing organization in Montana.

"These fair housing grants will help meet the Bush Administration's goal of increasing minority homeownership by 5.5 million families by the end of the decade," explained Housing and Urban Development Secretary Mel Martinez. "Every American should have equal access to housing opportunities and today's announcement is another step in that direction."

Martinez said the fair housing grants will help meet the Bush Administration's goal of increasing minority homeownership by 5.5 million families by the end of the decade, by removing barriers of prejudice that act as a roadblock to

minority homeownership.

The group will use the funds to investigate allegations of housing discrimination, educate the public and housing industry about housing discrimination laws, and work to promote fair housing. The grants are funded under HUD's Fair Housing Initiatives Program (FHIP).

The following organization in Montana will receive funding: Montana Fair Housing, Inc., a qualified fair housing organization in Montana, provides full services for victims of housing discrimination in the state. This project will provide fair housing services for the entire state of Montana, and will include education, outreach, and complaint-based enforcement. Specifically, Montana Fair Housing, Inc. will receive and track complaints; recruit and train 10 new testers; complete several complaint-based paired rental tests and paired tests focusing on discrimination in lending, sales, and insurance practices; refer enforcement proposals to HUD; make presentation to at least four churches or places of worship on fair housing laws; and continue its current education and outreach activities.

The assistance is part of \$20.3 million in HUD fair housing grants being awarded to partner organizations around the country. HUD received applications from 225 groups for the fiscal year 2002 assistance. FHIP grants went to 99 groups in 43 states and the District of Columbia.

A recent HUD study shows that housing discrimination has gone down over the last decade in America but still exists at unacceptable levels. Discrimination in Metropolitan Housing Markets: Phase I, researched in 20 metropolitan areas nationwide, shows that housing discrimination against African Americans and Hispanics looking to buy a home is down more than 25 percent since 1989. For those seeking to rent a unit, housing discrimination against African Americans is down 18 percent, but is unchanged for Hispanics.

HUD is the nation's housing agency committed to increasing homeownership, particularly among minorities, creating affordable housing opportunities for low-income Americans, supporting the homeless, elderly, people with disabilities and people living with AIDS. The Department also promotes economic and community development as well as enforces the nation's fair housing laws. More information about HUD and its programs is available on the Internet at www.hud.gov.

Montana Fair Housing's Staff Line Up

Bob Liston has been Montana Fair Housing's Executive Director since July of 2000. He was born and raised in Montana, and started his life as a person with a disability at the age of 16, when he was in a car accident and sustained a spinal cord injury. He has used a wheelchair for mobility since 1971.

Along the way, Bob has owned a small business, worked for state and local government, failed and succeeded in college (on the 20 year plan), and has worked for several disability organizations. After receiving a Masters Degree in Rehabilitation Counseling at Michigan State University, Bob worked for the Oakland/Macomb Center for Independent Living in suburban Detroit, and then worked for the Association for Community Advocacy (a local Arc) in Ann Arbor, Michigan. While in Michigan, Bob served on the Board of the Fair Housing Council of Washtenaw County. He has also been involved with Centers for Independent Living in Montana since the late 1970's. While being a long-time disability rights activist, Bob is very much enjoying the broader civil rights aspects fair housing has to offer.

Bob has been involved for a number of years with ADAPT and Not Dead Yet, two national grassroots organizations fighting for the rights of people with significant disabilities. Since moving back to Montana in 1998, Bob has also been involved as a member and mentor, with the local People First group, and with other advocates trying to insure that Montana meets the needs of all of its citizens, regardless of disability, income, race or any other label we may put on people. Bob currently serves on the National Fair Housing Alliance Board of Directors.

Pam Bean was born and raised in Montana, and began her career with MFH in December of 1994 as a Housing Specialist. Since 1996 Pam has served the organization as our Projects Manager, and is currently our Project Coordinator. She has been involved in housing issues and/or advocate roles for protected class members since 1986, and has a Bachelor of Arts degree in Psychology and Sociology, and a minor in Communications Theory.

Sarah Etzel is our Investigation Specialist and has been with the organization since August of 2001. At the age of 11, Sarah's family moved from Idaho to Missoula, where Sarah graduated from high school and ultimately received her B.A. in Social Work from the University of Montana in 2000 and worked as a **Case Manager** for therapeutic foster children.

Anna Sage is Montana Fair Housing's Intake Specialist and the newest member of our staff. She was born and raised in Missoula, and is currently a senior at the University of Montana. Anna expects to graduate next year with a Bachelor's degree in Sociology and comes to Montana Fair Housing with a strong background in Sociological research, statistics, methods, and theory. Prior to coming to Montana Fair Housing she worked with a local youth crime prevention council and gained experience with grant writing and statistical analysis.

**Tid Bits from the General Store
Our Announcements**

Montana Fair Housing has FINALLY completed our data base set up for e-mailing announcements and our newsletters to individuals and organizations preferring receipt of these materials electronically. Those who wish to receive these materials via e-mail, please confirm, via e-mail, to mfhzng@montana.com so that correct e-mail addresses and lists can be verified. Our apologies for the lateness of this endeavor and the repeat request.

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Montana Fair Housing has workshops approved for continuing education credits with the Board of Realty Regulation in Montana. These workshops are approved for one hour, two hour, three hour, four hour and six hour presentations. To schedule a presentation in your area or for your organization, contact Pam Bean or Bob Liston at (406) 542-2611 or (800) 929-2611 or via e-mail at mfhzng@montana.com.

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**As of May 18, 2003,
our website address will be:**

www.montanafairhousing.bizland.com

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Alternative Format Available Upon Request

If you suspect unfair housing practices
and/or want to find out more about
discrimination in housing contact:

**Department of Housing
and Urban Development**

1-800-877-7353

TDD 1-800-927-9275

or

Montana Fair Housing

1-800-929-2611

1-406-542-2611

TDD 1-800-253-4093



**EQUAL HOUSING
OPPORTUNITY**

On The Inside:

Tales Roun' the Campfire
Our Case Synopses

Roundin' 'em up - Local and
National Updates and Articles

Tip O' the Hat - Our
Acknowledgements

Tid Bits from the General Store
Our Announcements