



# The Chuckwagon

A quarterly production by

MONTANA FAIR HOUSING

February 2005

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 synopses is not necessarily all inclusive . . .

### **MFH v. Arcadia Garden Apartments aka Arcadia Garden Apartments LLC, and Alcurl Bozeman LLC and John Does #1-4, persons holding an ownership interest in Arcadia Garden Apartments**

**In** August of 2001 Montana Fair Housing, the United States Department of Housing and Urban Development, and Arcadia Garden Apartments, LLC, reached an agreement requiring, among other things, thirty two units be modified bringing them into full compliance with the design and construction provisions of the Federal Fair Housing Amendments Act. Compliance was to have occurred within 36 months from the date of the agreement.

On December 23, 2004, and as amended on January 24, 2005, Montana Fair Housing filed an action in United States District Court alleging seven violations. These violations include failure of the defendants to comply with the accessibility provisions of the Fair Housing Act, breach of the Conciliation Agreement, violation of the public accommodation provisions of the Americans with Disabilities Act, failure to comply with the fair housing provisions of the Montana Human Rights Act, failure to comply with other nondiscrimination provisions of state and federal fair housing laws, and for negligent management or operation of the subject properties in a manner which places persons with disabilities at an unreasonable risk of injury.

## Shootin' the Bull

### **\$62,500 settlement resolves discriminatory maintenance suit**

(RALEIGH, N.C., Jan. 19, 2005) -- This week, the North Carolina Fair Housing Center and a family of African tenants announced the \$62,500 settlement of their claims for discriminatory maintenance practices against United Dominion Realty Trust, Inc. ("UDRT"), one of the largest owners of apartment complexes nationwide.

The family of three, originally from Angola and the Congo, had lived in the Cinnamon Ridge (now renamed Cameron Gardens) development in Raleigh for several years. While at the property, the lawsuit alleged, the family suffered from wretched, slum-like maintenance conditions – including multiple ceiling collapses, water running through their ceiling, backed-up and malfunctioning water pipes making the bathroom unusable, and defective insulation and window jambs that made the apartment freezing on winter nights, among other conditions.

According to the suit, other tenants at Cinnamon Ridge – predominantly Hispanic and non-European immigrants – suffered from similar conditions, including one tenant whose non-functioning toilet was removed, but not replaced for over a month. While the owner allegedly refused to make such basic repairs at this predominantly minority property, it offered a "Superstar Service" maintenance policy at its apartments with mostly white tenants, guaranteeing repairs within a 24-hour period. In addition to the discriminatory maintenance practices, the suit claimed that the owner "steered" white tenants to its white properties and minorities to its poorly maintained complexes.

# **Back of the bus. Bottom of the list. What's the difference?**

There is no difference. In 1988, the Fair Housing Act was passed. It has been violated at every level because no one can be denied housing or even in the back of the bus. Protect your rights.

Montana Fair Housing is working to protect, promote and defend your right to Fair Housing. Come. Exercise decisions and choices.



**FAIR HOUSING IS THE LAW!**

U.S. Department of Housing and Urban Development - 1-800-669-9771  
Montana Fair Housing - 406-229-5211 TDD/Relay - 1-800-255-4990

## **Tid Bits from the General Store**

Montana Fair Housing is again seeking nominations for our annual "Duh, it's the right thing to do" award. Nominees must have exhibited an active commitment to the furtherance of fair housing endeavors in our state. To submit nominations please provide your name, address, and telephone number as well as the nominees, and a brief overview of the nominees role and efforts to further fair housing over the past year. Please submit nominations to:

Pam Bean at [mfhzng@montana.com](mailto:mfhzng@montana.com)  
by close of business day April 1, 2005.

\* \* \* \* \*

### **Promoting Equal Opportunity and Access to Housing**

Fair Housing Accessibility FIRST and the State of Montana and Wyoming HUD offices are providing a workshop at the Sheraton Billings Hotel on March 17 and 18, 2005.

This workshop provides information on Fair Housing Act accessibility, technical information regarding the design and construction requirements and other disability rights laws and enforcement.

For more information contact:  
Faith Ballenger at HUD at  
**406-449-5050 or [Faith\\_A.\\_Ballenger@hud.gov](mailto:Faith_A._Ballenger@hud.gov)**

### **Tip O' The Hat**

Montana Fair Housing thanks  
MONTANA MAGAZINE

For Including MFH's ad in their Special Advertising Section

## **Montana Fair Housing**

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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  
Montana Relay Service: 711

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