



# The Chuckwagon

May 2004

A quarterly production by  
**MONTANA FAIR HOUSING**

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 v. Neraas Architects/MFH v. CTA Architects & Engineers/MFH v. Moat** - On June 12, 2003, Montana Fair Housing had contacted owners in Billings, Respondents Nelson, regarding the construction of multi-family units and the requirements of the federal Fair Housing Amendments Act. Montana Fair Housing identified what appeared to be inaccessible routes throughout their complex from parking to entrances. Routes from parking into the units include stairs. MFH later filed an administrative complaint with HUD against the Respondents Nelson, and more recently against Respondents Don Neraas Architecture, CTA Architects & Engineering and Ron Moat who allegedly designed the units in a manner inaccessible to persons with mobility impairments.

**MFH, et. al. v. DeVoe/Alpha Real Estate** - On March 3, 2004 a female contacted Montana Fair Housing alleging discrimination in housing by the Respondents, who operate a rental agency in Missoula. She indicated the Respondents charged \$100 per month extra for a service animal. MFH investigated the allegations and found evidence supporting the allegation. Administrative complaints alleging discrimination in housing against persons with disabilities have been filed.

**MFH, et. al. v. Broadview Apartments/Brooke** - In February 2004, a female contacted MFH alleging that throughout her tenancy, on more than one occasion, the Respondent, Michael Brooke of Missoula, made unwanted, disrespectful, and disparaging remarks about women. Montana Fair Housing investigated the allegations and discovered information supporting the allegations. Administrative complaints have been filed with the Department of Housing and Urban Development

alleging discrimination in housing on the basis of race, gender (sex) and familial status.

**MFH v. Druckenmiller** - On March 23, 2004, Montana Fair Housing received a call from a woman stating she had moved into the Respondent's unit in February. She stated that she installed a ramp as there were three stairs at the entrance of her apartment and that the apartments were built after 1991. Upon investigation, MFH discovered several conditions allegedly violating the Fair Housing Amendments Act design and construction requirements. Administrative complaints have been filed with HUD.

## Housing Conference 2004

Montana Fair Housing held their eighth annual conference in Missoula this year. Topics included design and construction guidelines, reasonable accommodations and modifications, age discrimination, the Housing for Older Persons Act, exemptions included in the Fair Housing Amendments Act, Advertising, Occupancy Standards and the Montana state Landlord and Tenant Laws.

Recipients of our "Duh, Its The Right Thing To Do" awards this year were James Hoffmann of Hoffmann and Associates in Missoula, and the City of Billings Community Development Office.

**James Hoffmann** has made western Montana his home since 1971, after having been born and raised in San Francisco, California. He received a Bachelors Degree in Architecture in 1970 from the University of California at Berkeley, and has attended the Brooklyn Museum Art School, Art Students' League in New York City, and the San Francisco Art Academy. He has worked in architectural offices in Berkeley, San Francisco, New York City and Montana. In 1975, James formed a contracting firm in Missoula with two partners. After two years, he left to form his own architectural practice, and has been licensed as an architect in the state of Montana since 1978.

## Montana Fair Housing

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James Hoffmann and Associates has historically performed the bulk of their services in the design and development of residential and light commercial projects. Over the course of the last twenty three years, Mr. Hoffmann has designed over 650 single family detached homes and 1000 multifamily and condominiums, ranging from very simple FHA and FmHA financed homes to luxury residences exceeding \$3,500,000 in value. The firm has received two national awards for federally subsidized housing projects.

The **City of Billings, Office of Community Development**, has been proactive in addressing fair housing issues. In 1991 they completed their first Analysis of Impediments to Fair Housing Choice (AI) when it was just a suggestion and not a requirement. One of the main impediments identified in the first AI was a lack of a local group dedicated to addressing fair housing. They contracted for services to establish such an organization, which resulted in the CHRB. An updated AI was completed in 1996 and again in early 2002. After the 1996 AI, one of their key fair housing related initiatives was the Native American Homeownership Partnership. The homeownership rate for Native Americans in Billings was 22% and they began working collaboratively with others in the area to address this issue. Finally, the latest AI and resulting Fair Housing Plan is truly the first strategic plan to address fair housing in Billings. They have tried to establish clear and measurable goals to address the fair housing needs of the community over the next five years and report on progress in a quantitative manner on an annual basis.

**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: \_\_\_\_\_

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HUD disclaimer notice: The work that provided the basis for this publication was supported in part by funding under a grant awarded by the US Department of Housing and Urban Development. The substance and findings of the work are dedicated to the public. The authors and publisher are solely responsible for the accuracy of the statements and interpretations contained in this publication.

### Our Speakers:

**Logan Hopper** is the Principal Architect for the firm Logan Hopper Associates and has been actively and continuously involved with accessibility for persons with disabilities since 1976. Mr. Hopper's experience in accessibility actually predates the first enactment of California's Title 24 Access Regulations, serving as a consultant and advisor to the Center for Independent Living, Berkeley, and Access California, Oakland. As a founding member of the Oakland Commission on Disabled Persons in 1980, he served as architectural consultant to the Commission on matters of accessibility and barrier removal, as well as being actively involved in more comprehensive issues concerning persons with disabilities. He has been involved in the surveying and documentation of numerous structures within California. Mr. Hopper has continued working with access codes and standards throughout the years, and was recently involved with four subcommittees working on the latest rewriting of the

Americans with Disabilities Act Accessibility Guidelines, scheduled for completion in 2004. He also currently serves on the U. S. Access Board's Public Rights-of-Way Accessibility Advisory Committee. He is a member of the California Division of the State Architect's Accessibility Task Force.

Most of the professional work of the firm has likewise involved projects related to accessibility and design for the disabled. This has included access surveys, self-evaluations, transition plans, and consulting services, as well as actual rehabilitation, renovation, and retrofit projects specifically related to providing access improvements at over 2,500 different project locations. These have included private offices and commercial complexes, hotels, restaurants, government buildings, schools and universities, libraries, public service agencies, public housing projects, and private condominiums, apartments and residences.

**Mary Gallagher** is an attorney in private practice who represents plaintiffs in civil rights matters. Prior to entering private practice, Mary litigated disability law cases under the Americans with Disabilities Act, Section 504 of the Rehabilitation Act, the Fair Housing Amendments Act, the Montana Human Rights Act, and Section 1983 of the Civil Rights of Institutionalized Persons Act for the Montana Advocacy Program, a private disability rights organization. Mary has been an Adjunct Professor for the School of Law, University of Montana, since 1998 and teaches the Disability Law Course for law students.

**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 over 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, now in its tenth year of publication, 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.

**Florrie Brassier** is the Executive Director of the Northwest Fair Housing Alliance in Spokane, Washington. The Alliance is a private nonprofit fair housing organization devoted to addressing discrimination in housing in the state of Washington. Florrie has been with NWFHA since 1994. Prior to her employment with NWFHA she managed the fair housing program at Housing Opportunities Made Equal (HOME) in Richmond, Virginia, giving her over 19 years experience. She is the immediate past president of the NAACP of Spokane and serves on their Legal Advisory Committee.

## Tip O' The Hat - Our Acknowledgements

Montana Fair Housing would like to thank the following people for their time and their willingness to share their expertise as speakers at our Housing Conference 2004:

**Florrie Brassier**  
Executive Director  
Northwest Fair Housing Alliance

**Logan Hopper**  
Principal Architect  
Logan Hopper Associates

**Klaus Sitte**  
Deputy Director  
Montana Legal Services

**Mary Gallagher**  
Attorney at Law, Missoula

And a thanks to the volunteers who assisted with preparation and organization:

**RyeAnne Ricker**  
**Marsha Katz**

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## Tid Bits from the General Store Our Announcements

### Montana Fair Housing Has Moved!

**Our new street address is:**  
**2522 South Third Street West**  
**Missoula, MT 59804**  
**406-542-2611/800-929-2611**  
**FAX: 406-542-2235**

**Our new website address is:**  
**[fairhousing.montana.com](http://fairhousing.montana.com)**



2522 South Third Street West  
Missoula, MT 59804

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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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OPPORTUNITY**

## **On The Inside:**

Tales Roun' the Campfire  
Our Case Synopses

Housing Conference 2004

Tip O' the Hat - Our  
Acknowledgments