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 Alcort 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.
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 mfhnzg@montana.com by close of business day April 1, 2005.

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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

Tip O’ The Hat

Montana Fair Housing thanks MONTANA MAGAZINE For Including MFH’s ad in their Special Advertising Section

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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April 14, 2005
Holiday Inn Helena Downtown
22 Last Chance Gulch
Helena, MT 59801
(406) 443-2200

8:00 - 8:45 a.m.  Registration
8:45 – 9:00 a.m.  Opening Remarks
9 – 10:30 a.m.   Federal & State Fair Housing Law
10:45 – Noon   State of Fair Housing in the Nation
Noon – 1:30   Awards Luncheon
1:30 – 2:30 p.m.  Advertising
2:45 – 5:30 p.m.  Concurrent Workshops

Requests for Reasonable Accommodations and Modifications
Part 1: Overview
Part 2: Problem Solving – come with your experiences and scenarios

Montana Landlord and Tenant Laws

6.5 Continuing Education Credits:
Board of Realty Regulation
MT Bar Association
Architects may Self Report

The fee for this year's conference is $75 per person and includes the cost of the luncheon.

Contact the Holiday Inn for any room accommodations you may need for overnight stays.
Cost of the room rentals are not included in the conference fees.
A block of rooms for conference registrants has been reserved through April 1, 2005. Please make your reservations prior to that date.

This year's Speakers include:
Chris Brancart, Attorney at Law from California
Florrie Brassier, Spokane, Washington
Klaus Sitte, Attorney at Law, MT Legal Services

Registration is due by close of business day April 1, 2005.

Use one registration form per registrant please!

Name: _______________________
Address: _______________________
___________________________________________________________________
Phone: ________________________
e-mail: ________________________
Company: _____________________
Position: _____________________

Please circle your choice of menu for the luncheon:

Vegetarian
Beef Tips Over Noodles
Broiled Fillet of Salmon

Montana Fair Housing does not accept credit card payments.
Please submit payment and registration form to:

Montana Fair Housing
ATTN: Pam Bean
2522 South Third Street West
Missoula, MT 59804

For questions or to request accommodations needed as a result of a disability, please call:
406-542-2611 or 800-929-2611

Persons with disabilities may also reach Montana Fair Housing by using the Montana Relay System: 711
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
Montana Relay Service: 711

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Our Case Synopses

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