

Couple charged with housing violation

Posted: Thursday, Apr 19, 2007 - 07:13:38 am PDT

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Bigfork Eagle

A Bigfork couple, Donald and Joan Bedford, have been charged with housing discrimination by the U.S. Department of Housing and Urban Development.

According to information obtained from Montana Fair Housing in Missoula, a woman contacted the Bedfords in March 2006 in response to an ad in the Bigfork Eagle about an apartment for rent. After providing information about the apartment, Joan Bedford asked the woman if anyone else would live in the apartment with her.

When the woman told Bedford that her 15-year-old daughter lived with her, Bedford allegedly made statements suggesting the woman look through the Bigfork Eagle classified ads for "more appropriate" housing for a teenager.

The woman called Montana Fair Housing (MFH), a non-profit organization dedicated to the prevention and elimination of housing discrimination in Montana. MFH investigated the allegations, using trained testers acting as applicants to inquire about the availability of housing, the terms and conditions associated with application for and rental of a unit, and any amenities available.

The testers are trained volunteers similar to the complainant in terms of race, family status and income level, MFH executive director Bob Liston said. Testers go through the motions of applying for housing and "compare notes" afterward, he said. Testers are not told why they are contacting a landlord, so that they have no preconceived bias about how the landlord might respond.

"We had four different testers go out with very significant differences for the tester represented as having a 15-year-old child," Liston said. The evidence MFH obtained confirmed the caller's story that teenage children were not welcome at the Bedfords' apartments, he said.

In June 2006, the woman and Montana Fair Housing filed complaints with HUD alleging the Bedfords refused to rent to the woman because of the presence of a teenager in the household, and made related discriminatory statements. After additional investigation, HUD found "reasonable cause" to believe the Bedfords were practicing discriminatory housing practices in violation of the Fair Housing Amendments Act, leading to a formal charge March 29, 2007.

Under the law, it is illegal to discriminate against a household that includes a child younger than 18, and unlawful to make related discriminatory statements.

Both the complainants (the woman and Montana Fair Housing) and the Bedfords have until April 24 to decide whether to proceed before an administrative law judge or go to Federal District Court. The second option would make the process take longer because Federal District Court judges have heavier caseloads than administrative law judges, Liston said.

If convicted, the Bedfords could be ordered to pay all court costs, possibly punitive damages, civil penalties up to \$11,000, or all three, Liston said. MFH would also offer remedies for the situation, such as providing the couple with training in fair housing practices, he added.

The Fair Housing Amendments Act protects people from discrimination based on their race, color, national origin, disability, family status, religion or sex. These protections apply to all housing transactions, including sales, lending, rental, advertising, appraisals, design and construction of new multi-family housing, or any transaction available to a qualified person seeking the services.

"Montana Fair Housing and the individual complainant are looking for a favorable outcome that reminds housing providers in Montana that fair housing laws will be enforced," Liston said. "No one should be denied housing based on their protected-class status. If anyone in Montana feels this has happened to them, we encourage them to contact us."

Montana Fair Housing can be reached at 406-782-2573.