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# INSIGHT

## 56TH ANNUAL DINNER CELEBRATION

On Friday, May 17th, HOME welcomed nearly 270 civil rights supporters to its 56th Annual Dinner celebration held at the beautiful, newly refurbished Shea's Seneca. Guests entered the spectacular lobby that boasts of vaulted gilded ceilings and adroitly adorned walls and were met with the sounds of vintage Motown from the hands of DJ Blenn. While participating in the social hour they were able to catch up with old friends and meet new ones as they navigated tables of baskets to be raffled and live and silent auction items.

Our emcee for the evening was the very talented Madison Carter of WKBW Channel 7 News. Madison expertly kept the program running and provided guests with a picture of the past year's accomplishments and HOME's vision for the future. Our auctioneer was Dr. John Gillespie who kept the evening rolling as he walked the floor and implored the attendees to reach deep in their pockets for the cause of fair housing. Artwork by Catherine Burchfield Parker, an autographed Buffalo Bills jersey and game tickets, and an Arts and Culture package valued at nearly \$500 were just a few of the items auctioned.

HOME used this gathering to recognize several outstanding contributors to the work of fair housing and was honored to present the **Sarah Metzger Award for Human Rights** to Sam Magavern, co-founder of the Partnership for Public Good, for his work in highlighting the issues and challenges of the City of Buffalo and his desire to build a more just, sustainable and culturally vibrant city; and to the Investigative Post for their exhaustive work of telling the stories that need to be told and speaking truth to power. The **Civil Rights Award** was presented to Alexander Wright, founder of the African Heritage Food Co-op for his work in increasing access to affordable and healthy fresh food and for creating jobs opportunities for the disadvantaged. And finally, the **Director's Award for Significant Contributions in the Cause of Fair Housing** was presented to



County Executive Mark Poloncarz and the Erie County Legislature and Former Erie County Legislator Betty Jean Grant for recognizing the needs of the residents of Erie County and passing the Fair Housing Law.

The highlight of an already fantastic evening was our very special guest, Mayor Svante Myrick of Ithaca, NY who presented the keynote address. Mayor Myrick shared moving stories from his childhood and expressed how being raised by a single mother and being homeless for periods of his life, shaped him to be the man that he is today. The mayor spoke of the sidewalks that he had installed so people could safely navigate the streets and how he brought fireworks back to Ithaca for 4th of July celebrations so that all of the residents, regardless of race, class, or color, could enjoy them together. Mayor Myrick noted that he had been given a hand up by so many people, but on reflection, had not properly thanked them for impacting his life – so he came to Buffalo to thank HOME for our work in helping people live in the housing and communities of their choice.

A special thank you to the Annual Dinner committee, the board of directors, HOME staff, sponsors, members, and guests who helped make the 56th Annual Dinner a success. We raised over \$20,000 that will be used to continue to educate our clients on their rights and responsibilities as home seekers and housing providers, to advocate for those whose rights are being denied and to enforce the federal, state and local fair housing laws. ■

**HOME**

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# STATE LAWMAKERS CONTINUE TO STRENGTHEN TENANT PROTECTIONS IN 2019

by Steven Haagsma

New York's state lawmakers have been busy protecting tenants in 2019. After passing the Gender Expression Non-Discrimination Act (GENDA) in January, Democrats in the Assembly and Senate ensured that source of income (SOI) was added to the state Human Rights Law as a protected class through the budget process. Then in June they passed a package of laws regarding rent regulation, which previously applied only to New York City, but has now been extended statewide.

The addition of SOI at the state level has been long-awaited, and this victory will provide households with Section 8 Housing Choice Vouchers the protection they need to find a home, as they will no longer be able to be denied solely on the basis of their voucher. The Ban Income Bias NY coalition celebrated the victory, but quickly pointed out the need for enforcement of the new provision—something

HOME will be on the front lines of.

The passage of the Housing Stability and Tenant Protection act of 2019 includes both immediate changes and the potential for more change in the future for Western New York. Among the immediate changes are limiting security deposits to one month of rent, giving tenants more time to fight eviction proceedings, and making illegal evictions a misdemeanor offense. The law also provides municipalities across the state the option of opting in to rent regulations that previously applied only in New York City. HOME will be conducting trainings for both tenants and landlords to educate them about these changes.

While these changes did not deliver on everything tenant advocacy groups had wanted, they mark a big change for developers and the real estate business, which had previously held tremendous sway in the state legislature. The new provisions for tenants are sure to be felt

across the state. Following the passage of Erie County's Fair Housing Law, which included SOI as a protected class, last year HOME saw a jump in the number of discrimination reports based on source of income, taking over as the most common type of complaint. If that is any indication, the statewide protections will greatly help voucher holders in finding a home now that it is illegal for landlords to deny them out of hand.

After some ambitious talk following last year's election, it is encouraging to see such important action being taken to protect renters in New York State, as they are often among the most vulnerable members of society. These new protections will help people find homes and stay in them. While not an all-encompassing fix, these laws are an important step to helping all New Yorkers live in the housing and community of their choice, which has always been HOME's goal. ■

## BECOME A MEMBER TODAY!

*Your support enables HOME to provide services that prevent housing discrimination, educate tenants and landlords, and help families move to areas of greater opportunity.*

*As a corporate member of HOME you stand for justice, equality, and diversity.*

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# GETTING TO KNOW HOME SUMMER LAW INTERN JESSICA TIBURCIO

HOME is happy to have UB JD/MPH student Jessica Tiburcio as a legal intern for the summer.

## What are you studying, and how will your time with HOME fit into your studies?

I am a first-generation dual-degree JD/MPH student at the University at Buffalo. HOME's mission intersects with both my studies of the law and public health because, in my opinion, housing should be a human right and the lack of equal housing opportunities in the Western New York Area is a public health crisis. Through community organizations, such as HOME, those who live in under-served communities and dilapidated homes become aware of their legal rights as tenants or landlords. Thus, through HOME, I serve as a social and legal advocate for the public health, under the supervision of Daniel Corbitt, Esq.

## Why are you interested in interning with a civil rights organization?

I have pursued a social justice and civil rights trajectory since my undergraduate study at John Jay College of Criminal Justice. My undergraduate experiences pursuing justice for under-served communities, both nationally and globally, have bolstered my ability to voice valuable and sensible opinions on questions regarding the disabled, people of color, women, children, immigration, poverty, and human rights. As a result, my inclination to voice the opinions and rights of the underrepresented has continually increased.

## What do you hope to accomplish in your time at HOME?

There is no better return on one's time than through direct service. During my time at HOME, I anticipate and look forward to: maximizing my impact in vulnerable communities, developing new leadership skills, building and maintaining a cause with my HOME colleagues and government and local agencies, and expanding my network.



## How do you see your experience at HOME impacting your future career?

At HOME I am influenced by a virtuous work culture that will help me manage, prepare, and enhance my academic and professional trajectories. HOME's values, my internship's challenges, and the work-life balance I am achieving will help me excel in my advocacy work as a prospective attorney. My continual development of interpersonal skills, for example, are vitally important. Being able to communicate with clarity and diplomacy is an absolute requisite for any successful attorney. ■

This is what  
**We are here for**



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*"This apartment has a lot of steps for someone with a cane, I think you would be better off somewhere else."*



In 2018, HOME received 36 recorded reports of discrimination on the basis of a person's disability. To learn more about discrimination, contact HOME.

# HOME RECORDS VICTORY FOR CLIENT

by Dan Corbitt, Esq.

In the summer of 2015, Mr. Miller's life was in turmoil. He had lost his job, his marriage was ending, and he was homeless and living in a shelter. Perhaps most difficult, however, was that his six-year-old daughter could not stay with him at the shelter. Mr. Miller was desperate to rebuild his life and provide for his daughter. But first, he needed to find a home where he could start on the path toward a better future for his family, a future full of hope and opportunity.

After weeks of unsuccessful searching, he found what he thought could be that new home: a spacious, recently-renovated two-bedroom apartment on Delaware Avenue in Buffalo. The apartment was located in an area with job opportunities, good schools, parks, grocery stores, and retail establishments. It was owned by Kissling Interests, LLC, a housing provider that rented hundreds of apartments throughout Western New York.

Mr. Miller knew that the area would be perfect for his family. He emailed the property manager and learned that the apartment was still available. He scheduled an appointment for the following day, at which time his case manager would meet the property manager and tour the apartment on his behalf. Mr. Miller was elated by the dream of raising his daughter in a nice neighborhood where they could walk together to the park or the store.

However, that dream was not to be. During the showing, Mr. Miller's case manager told the property manager that part of his rent would be paid by a housing choice voucher, a federal housing assistance program commonly referred to as Section 8. In response, the property manager stated that the rental assistance would not be accepted, and instead instructed Mr. Miller to apply at another housing complex located in a different area of the city. However, that complex maintained a long waitlist and did not have any available apartments. As a result, Mr. Miller was forced to remain homeless, alone in the shelter without his daughter.

Millions of Americans receive some form of supplemental income such as Social Security benefits, disability payments, veterans' benefits, and rental assistance. In the City of Buffalo, it has been unlawful for housing providers to deny applicants due to their lawful source of income since 2006.

Mr. Miller eventually rented another apartment later that year. As is usually the case in housing discrimination, however, the alternate housing was inferior to what he had originally wanted. The apartment building was rundown and located in a part of the city with more crime and fewer opportunities.

At first, Mr. Miller was hurt and upset that Kissling denied him the opportunity to rent the apartment that he had wanted and could afford. He felt dejected and ashamed because he was denied the opportunity to provide a good home for his young daughter.

While still at the shelter, Mr. Miller realized that he had to do something about what had happened, if only to save another family from the pain and humiliation of discrimination. He contacted HOME and reported the incident.

In response, HOME launched an investigation using testers, who are trained individuals who pose as renters or buyers to

obtain information about the conduct of housing providers and determine whether they are engaging in discriminatory conduct. One of HOME's testers posed as a single mother whose income was partially derived from a housing choice voucher. The tester went to view an apartment that was also owned and advertised for rent by Kissling. When the tester revealed how she intended to pay her rent, she too was turned down and referred to the other apartment complex with no available units.

Source of income discrimination primarily impacts some of the most vulnerable members of our community, including the elderly, disabled, veterans, families that have experienced homelessness, and people of color. This type of discrimination increases inequality, as those who are denied the housing of their choice often must settle for something that is substandard, unsafe, and located in areas of concentrated poverty that lack access to opportunities.

In 2016, HOME filed an administrative complaint with the City of Buffalo on the behalf of Mr. Miller. After conducting its own investigation, the city determined that there was probable cause to believe that discrimination had occurred. Initially, Kissling Interests seemed willing to conciliate the matter without court action, but then balked when Mr. Miller refused to make the settlement confidential.

So, in 2018, the case was filed in State Supreme Court. With any possibility for confidentiality out the window, the defendant came back to the table to negotiate a settlement. Just last month, an agreement was reached whereby Kissling agreed to pay Mr. Miller nearly nine thousand dollars to settle the case.

Mr. Miller was relieved to have closure on a dark chapter of his life. He decided to move his family to Atlanta, where he found a new job and a new home in a nice part of town. He is well on his way to that bright future that he dreamed of back in the shelter in Buffalo. Kissling, meanwhile, no longer owns rental properties in Western New York, having sold its entire residential portfolio in Western New York in January of this year.

Housing discrimination, whether based on a person's lawful source of income or some other label, limits the potential of our entire community and harms us all. The costs of poverty are steep, but those costs are greatly exacerbated when people of limited means are segregated into certain areas and neighborhoods in Western New York.

New York State has recognized the harm caused by source of income discrimination, and in April of this year, amended the State's Human Rights Law to include source of income as a protected class, which ensures that all New Yorkers have an equal opportunity to live in the homes that their hearts desire and their means permit, regardless of the source of their legitimate income. HOME was a member of the statewide coalition that fought for these protections, and we will continue to promote the value of diversity and fight to ensure that all people have an equal opportunity to live in the communities and housing of their choice. We need your help to continue this fight. Contact us today to pledge your support! ■

# HOME'S READING CORNER

by Christopher Allaire

HOME's Reading Corner is intended to give our supporters a summary of the significant books, articles, and academic studies on housing in Western New York and the city of Buffalo. This section will hopefully help contextualize the current struggle for fair housing in our region and illustrate the long history of community involvement in this critical civil rights issue.

## **“Landlord Participation Study: Multidisciplinary Research Team.” U.S. Department of Housing and Urban Development, Office of Policy Development and Research, 2019.**

For this issue's article, we will be analyzing a study that looks into the supply side of the Housing Choice Voucher program and barriers that exist for tenants who hold these vouchers. This study, conducted by HUD's Office of Policy Development and Research, investigates landlord participation in the Housing Choice Voucher program, also known as Section 8, and explores landlords' views and misconceptions about the program. To gain perspective on this issue, the research team surveyed staff at nine Public Housing Authorities across the country and interviewed them about their interactions with landlords who accept and do not accept Housing Choice Vouchers. Although the researchers did not interview a Public Housing Authority in Western New York, their findings illustrate the importance of legislation that protects lawful source of income and ensures Housing Choice Voucher holders access to housing.

One of the most significant findings of this study is that, since 2010, there has been a decrease in the number of landlords that participate in the Housing Choice Voucher program while the number of Section 8 recipients remains steady. There were 60,000 fewer landlord participants in the Housing Choice Voucher program than in

2010, resulting in a decrease in the number of available units for voucher holders and an increase in the concentration of voucher holders per landlord that accepts Section 8. This decrease in the number of landlords who accept Section 8, in areas where Source of Income protections are not in place, leads to concentrations of Housing Choice Voucher holders in lower rent areas that often have higher poverty rates than other metropolitan regions. This study concluded that decreases in landlord participation leads Section 8 recipients to find “housing options in lower income neighborhoods with less opportunity. These neighborhoods are characterized by higher levels of poverty, lower incomes and higher unemployment, considerably higher percentages of Black and Hispanic populations, lower levels of owner-occupied housing, and higher percentages of residents occupying homes with lower markets values and gross rents.”

To address the issue of the concentration of poverty in low income areas, the authors of this study attempt to isolate why landlords in these cities do not accept Housing Choice Voucher recipients. The three factors that this study identifies as barriers to landlord participation are: financial viability, administrative requirements, and

landlord attitudes about tenants. In each of these categories misconceptions about the requirements of the Housing Choice Voucher and its participants stymied landlord participation in the program. While issues with this program do exist, such as payment standards for areas with rapidly increasing market rate rents, this study serves to address how the Housing Choice Voucher program could be improved and made more appealing to landlords.

As a result of a lack of knowledge and misconceptions about this program, Housing Choice Voucher recipients are denied access to otherwise affordable units because of their source of income. In New York State, recent legislation has made the denial of tenancy based on one's lawful source of income illegal. Amendments to the New York State's Human Rights law in 2019, as well as last year's Erie County Fair Housing Law, have created protections for Housing Choice Voucher recipients and enshrined lawful source of income as a protected class across this state. It is essential that landlords and tenants are aware of their rights and responsibilities under these laws to prevent further concentrations of poverty and denial of housing opportunities based on lawful source of income. ■



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*In May we said goodbye to Development Officer Reina Ysaquirre-Boersma, who left to take a job with Boston Pride. We wish her the best of luck in her new position and we will surely miss her!*

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