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INSIGHT

Celebrating 55 Years of Fair Housing!

KNOW YOUR RIGHTS: LAWFUL SOURCE OF INCOME

by Daniel Corbitt, Esq.

Earlier this year, the Erie County Legislature took the historic step of passing a fair housing law that ensures vital civil rights for each and every county resident. Among its many important provisions is the freedom from housing discrimination based on a person's lawful source of income.

The law is a critical first step in combating a pervasive form of housing discrimination in our community, one in which housing providers refuse to rent to potential tenants because they derive all or a portion of their income from housing assistance, veterans' benefits, child support, disability benefits, and other forms of lawful payments.

As a result, many people in our community have been unable to rent a safe and sanitary apartment simply due to the method in which they intend to pay their rent. Last year, over 27 percent of the incidents of housing bias reported to HOME involved source of income discrimination, a number that is undoubtedly suppressed by the fact that the practice was and remains perfectly legal in several municipalities in Western New York. For the folks unable to use their vouchers to rent decent housing, they and their families face the agonizing choice of homelessness or housing that is often dilapidated, hazardous, and located in areas of high poverty and crime.

The most common target of this form of discrimination is participants in the federal Housing Choice Voucher (HCV) program, often referred to as "Section 8."

This program is the largest and most successful housing assistance program in the history of our country. Unfortunately, its efficacy continues to be undermined by the unwillingness of landlords to rent to voucher holders due to fear and misapprehension of the program and its participants.



Originating in 1975, the HCV program was designed to provide poor households with the mobility necessary to access higher-opportunity neighborhoods, with good schools, jobs, and services, thereby reducing the social problems that result from concentrated poverty.

By engaging the private sector, the program sought to overcome many of the problems inherent in project-based housing assistance. Public housing developments are often built in poor neighborhoods with few resources. Moreover, insufficient investments in operations and maintenance for public housing have often led to a precipitous decline in living conditions for residents. Vouchers, in contrast, are able to deconcentrate poverty and provide the mobility necessary in our modern economy to access opportunities.

However, the full potential of this program cannot be realized if voucher recipients are unable to find housing providers that will accept their vouchers. National studies have found that over 30 percent of families issued a voucher were unsuccessful in using it to secure housing. Researchers have also found that voucher recipients are more racially segregated than people with similar incomes that do not have vouchers. While it is likely that other factors are also at play, it is undeniable that source of income discrimination significantly contributes to these disparities.

But why are so many landlords unwilling to accept a stable, guaranteed form of payment? Some landlords may believe that voucher recipients are undesirable tenants who will not pay their rent and cause problems with other tenants and neighbors. Let's address this concern first.

It is important to understand that landlords who participate in the program – and indeed, all landlords – are encouraged to screen prospective tenants using the same criteria for HCV holders that apply to any other applicants to ensure that the person (1) can afford the unit; (2) will not damage the unit; and (3) will not impede on the quiet enjoyment of other tenants and neighbors. It is always lawful to deny an application if a prospective tenant is unable to satisfy these criteria. HOME routinely assists landlords establish a strong and fair application process that effectively protects their investments.

Other landlords resist renting to voucher holders because they simply do not understand the program requirements. Let's look next at a basic overview of the program.

If a voucher holder meets the landlord's criteria, that applicant will provide the landlord with some basic forms that include information about the property and the landlord. The landlord then completes these forms and returns them to the public housing agency (PHA)

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MEET THE TWO NEW MEMBERS OF HOME'S BOARD OF DIRECTORS

by Miata Wright

CARINE FANO is a Cost Analyst at Turner Construction. Born in Togo, West Africa and raised in Buffalo, she enjoys the friendliness and diversity that the Queen city has to offer. She followed her passion for building and bridge construction and graduated from the University at Buffalo with a Bachelor's Degree in Civil Engineering and started her career at Turner Construction where she was an Assistant Engineer on the Oishei Children's Hospital development. She believes that Buffalo is a thriving city which could even give nearby Toronto a run for its money provided the investment in our community continues.

How did you become involved with HOME?

A friend from college introduced me to HOME and how the agency's work is vital to the growth of our city. I am also a part of the Finance Committee.

What is your vision for HOME and fair housing in our region?

With adequate shelter being such a fundamental need for humans, it is imperative that opportunities to attain housing are available for all people. Through the services that HOME provides, they are already doing the hard work it takes to alleviate housing discrimination and provide housing support to tenants and landlords. My vision would be that HOME receives the support from our community as well as local, state and federal governments to continue the wonderful work that this organization does.

What other social issues are you passionate about?

Workplace diversity is an issue that is also very dear to me. Workplace diversity fosters creativity and innovation, improves employee retention and has an overall result of improving the company's

bottom line. In this day and age, a lack of diversity just doesn't make sense.

Do you have any hobbies outside of work?

One of my favorite things to do is make clothing. I learned how

to sew from my mother, owner of "Dovi and Girls" on Elmwood Avenue. I also enjoy walking around the newly developed Canalside and I am always up for a game of tennis at Delaware Park as long as no one keeps score! ■



TRINA BURRUSS

is the Regional Vice President & Community Relationship Officer at Northwest Bank. A Buffalo native, she has strong roots in the city and is proud to have raised her family here. She believes that the "City of Good Neighbors" can participate

in Buffalo's wonderful resurgence through assisting individuals in need so that everyone can enjoy all of what Buffalo has to offer. She became involved with HOME after Northwest signed a Community Benefits Agreement with the Buffalo Niagara Community Reinvestment Coalition, of which HOME is a member. After interacting with our staff, she wanted to fully support HOME's mission alongside longtime friends who are also on HOME's board. Outside

of work, Trina enjoys spending time with family, listening to various genres of music and driving her 1984 Corvette.

Tell me about your journey to your current profession.

After my husband was honorably discharged from the Marine Corps, we returned home with our young family in need of jobs. Fortunately, our large extended family was willing to assist us. A cousin at Marine Midland helped get me a job as an unattached teller. After a few short months, I became part of the team at the flagship office at One Marine Midland Center / Seneca One. On my first day walking into training back in 1990, I knew I wanted to make banking a career. Throughout my career, I always volunteered and stayed very connected to the community. My last branch assignment was as the manager of the Medical Campus Office. Last year I joined the Northwest team as the Regional Vice President & Community Relationship Officer for NYS. This role is my dream job in that it allows me to marry both my passion for banking and my desire to assist the community.

What is your vision for HOME and fair housing in our region?

The best outcome would be for the services and advocacy provided by HOME to be unnecessary. However, in the absence of the ultimate goal, I think it's paramount for us to educate the community about the available resources and speak truth to power about the needs of the underserved in our community.

What other social issues are you passionate about?

I believe the issue of diversity in the workplace is something we should all be concerned about. If we fail to have a diverse and inclusive society, organizations like HOME will always be needed. As a business model, diversity of thoughts and experiences are critical to a corporation's success. Diversity ensures that every individual has the opportunity to provide for their families in a way that is in keeping with the American dream. ■



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UPCOMING LANDLORD TRAININGS

HOME has scheduled landlord trainings for October and November:

WEDNESDAY, OCTOBER 24 and **WEDNESDAY, NOVEMBER 14**

TRAININGS INCLUDE: FAIR HOUSING LAW • TENANT DISABILITY RIGHTS • MAINTAINING POSITIVE TENANT-LANDLORD RELATIONSHIPS • SCREENING TENANTS, WRITING LEASES, AND EVICTION

Trainings take place at HOME's offices at 1542 Main and last from 3-5pm

TO REGISTER FOR A TRAINING, GO TO HOMENY.ORG/LANDLORDTRAINING



UPDATES FROM THE EXECUTIVE DIRECTOR

by M. DeAnna Eason

WHO IS MY NEIGHBOR?

Some may hear the word “discrimination” and automatically think it is referring to a White versus Black issue. It is most certainly much more than that. Discrimination in housing can be based on a variety of issues including denials based on a prospective tenant’s disability, families with children under the age of 18, and an applicant’s gender identity and expression. Ultimately, every one of us is

protected by a number of these classes. In truth, fair housing law serves to protect us all regardless of race, color, or socio-economic status. At any given point each of us could become victims of housing discrimination. That being the case, we must stop looking at fair housing as if it is an earned right – it is not; we are all deserving of it. The time is now for us to come together and make sure fair housing is a priority for ALL in our community. We must make certain our neighbors are aware of their rights under federal, state, and local fair housing law and we have to make sure that our local governments enforce these laws. Who are our neighbors? The people we come into contact with every day. Maybe they don’t look like us. Maybe they worship differently than us. Maybe English is not their first language; regardless, they are our neighbors. We must all do our part in fighting segregation in our immediate neighborhoods and the entire Buffalo-Niagara region because there is strength in our diversity.

We can’t continue to dismiss housing discrimination as someone else’s problem – we all own it. When we ignore it and refuse to fight it we are claiming ownership and we pay the price. Discrimination is not free – it costs the community. Individuals are denied opportunities to meet different people and to learn and be enriched through a variety of experiences. Please contact HOME today if you are interested in ways to reach out to your neighbor.

HOME AT WORK

2018 has been an epic year for fair housing in Western New York. HOME celebrated its 55th year of “promoting the value of diversity” and ensuring residents “an equal opportunity to live in the housing and communities of their choice.” Although grateful for the strides that have been taken, we have to admit that we have fallen very shy of our goal of equality for all.

Special thanks to Charlotte Keith, the Investigative Post, and WGRZ Channel 2 for reporting on the insufficient enforcement of the City of Buffalo’s Fair Housing Ordinance. The in-depth, well rounded investigation covered all of the essential players of this unfortunate situation that has dragged on for more than 10 years, including interviews of tenants, landlords, HOME staff, fair housing advocates and city officials. These journalists did a wonderful job of speaking truth, not only to the community but also to power.

On August 9th, County Executive Poloncarz joined by Legislators Barbara Miller Williams, April Baskin, Patrick Burke, and John Brusco held a press event at the HOME offices to celebrate the 50th anniversary of the Fair Housing Act and to discuss the recently passed Erie County Fair Housing Law. The legislation signed into law on May 22nd prohibits discrimination in housing based on the same protected classes as the federal and state fair housing laws, but also extends protection to include: gender identity and expression, immigrant and refugee status, and source of income.

CIAO FOR NOW

On August 15th, HOME said goodbye to Education Specialist Kibrett Facey who left the area to pursue a graduate degree in Marketing and Communications at Florida State University in Tallahassee, FL. Blessings!! We wish you the best! ■

DAY IN THE LIFE OF STEVE *by Steve Dalton*

My name is Steve Dalton and I am the Housing Placement Specialist here at HOME. My primary job is to assist Buffalo Rapid Rehousing clients in finding homes to rent. I bet you’re asking yourself, “What is the Buffalo Rapid Rehousing program?” The Buffalo Rapid Rehousing Program (BRAP) is a HUD best-practice model for alleviating homelessness. It is designed to help families and individuals quickly exit homelessness with both housing identification and financial assistance and to help them achieve long-term housing stability.

Now, my job is not the typical sit behind a desk and stare at a computer all day kind of position. I am not saying I don’t do that from time to time but a lot of my job is being on the move and being ready to do something on a moment’s notice. I do things like: locate housing, assist clients with housing applications, establish relationships with housing entities, negotiate rental deals, review leases prior to execution, assist with transportation, conduct fair housing outreach, and provide housing advice. As one my clients so eloquently put it, “He is my housing coach.” I felt that is a good way to describe what I do here at HOME.

Finding housing is not an easy task in this day and age. The clients I work with on a daily basis have limited to no income, which makes finding housing for these folks even harder. Lately, the majority of my clients have been coming to me from the Compass House Resource Center, which provides comprehensive case-management services to homeless and at-

risk youth. The Compass House resource center is primarily for individuals that are 18-24 years old. In the eyes of the law you are considered and “adult” at the age of 18. You’ll notice I put adult in quotations, because these kids are not adults yet and they are still trying to figure out their way in this world. I mean, I am 26 years old and I still feel like a kid in a lot of ways! The majority of the time these clients come to me with no income, limited education, no job history, no housing history, and poor credit. To say that we are starting behind the eight ball would be an understatement. Luckily, I have been able to cultivate relationships with a few different housing entities in the area that have allowed for me to get these clients housed.

The most rewarding part of what I do is watching my clients sign the lease deal to their new home. Watching their emotions go from sadness and stress to relief and happiness is why I do what I do. Whether the place you call home is a rooming house, a single family home or an apartment, everybody deserves the opportunity at the end of the day to go to a place that they can call their own. ■

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ADVOCATE SPOTLIGHT: ELIZABETH CLARK

by Reina Ysaguirre-Boersma

Members and volunteers are the heart and soul of HOME.

Elizabeth “Liz” Clark, is a long-time advocate for fair housing who has been a volunteer since 1963. Her dedication to civil rights, passion for the promotion of diversity, and disgust for discrimination has not relented since she joined HOME as a volunteer-tester. The local papers would routinely publish accounts of HOME’s volunteers posing as bona fide home seekers attempting to gather information regarding their treatment of potential tenants. “During that time, they used to publish the names and addresses of the testers in the newspaper,” said Ms. Clark. Racist readers of the newspaper would anonymously send Ms. Clark hate mail that threatened her with bodily harm. Today Ms. Clark is a Partner Member of HOME (she annually contributes more than \$1,000 to our organization), Legacy Member (Ms. Clark has bequeathed a financial gift to HOME in her will), and sits on the Fund Development Committee.

Ms. Clark was first introduced to housing discrimination in Syracuse, NY, while helping Black, low-income families secure housing after the housing complex they lived in was demolished. She had gone along with some of the families on their housing search and noticed surprising treatment by the prospective landlords: “I was shocked by the openness with which they discriminated, obviously solely because they were Black, so when we moved to Buffalo, I looked for a group working on housing discrimination and found HOME.”

Born in Chicago, IL and living in various areas from the Midwest the East coast, Ms. Clark recalls her experience living in all-White communities. When she and her family moved to West Hartford, CT, she remembers only one person of color in her high school. Ms. Clark didn’t think much about it until she worked at an interracial summer camp in New Hampshire during college. “That really changed my life, I made lots of new friends who were ‘just like me,’ except for our skin color,” she says. It was after

college that she began assisting people with housing issues.

“My church encourages you to be active in society... I think I imagined that such discrimination would automatically end when people became aware of it and got to know people of color as friends and neighbors. I never imagined we would still be fighting discrimination over 50 years later,” said Clark.

She spoke about meeting in the home of Dr. James Hecht (HOME’s founder) with five or six other volunteer activists like Art Butler, Kathy Butler, and Sarah Metzger. Ms. Clark has always been the epitome of determination. In 1980, she began selling real estate to put herself through law school. She graduated law school at 43 years old and worked for Hodgson Russ LLP for 22 years as an estate planner.

After being asked what encourages her to keep volunteering and continuing her philanthropic support to HOME she simply says: “We still have a problem we have to address... I want to have my involvement with the kind of work HOME does continue as long as possible.”

When asked what message she wants to give to the people in the community, Ms. Clark says “housing is basic to so many other aspects of life, I continue to be frustrated by the refusal of many people to acknowledge ‘white privilege’ and the existence of housing discrimination.” ■



LAWFUL SOURCE OF INCOME *continued from page 1*

that administers the program, which will then contact the landlord to schedule an inspection of the unit.

The inspection requirements are often the most misunderstood aspect of the program. The PHA will inspect the unit to ensure that it meets the HUD Housing Quality Standards, which establish minimum standards of the health and safety. These standards ensure that the government is not subsidizing unsafe, substandard housing. In fact, these standards are essentially the same as those embodied by the warranty of habitability – the implicit requirement that all landlords provide a safe and sanitary dwelling for their tenants. A decent landlord who takes pride in his or her rental unit will have no problem in meeting these standards.

After the unit passes the inspection, the landlord and tenant sign a lease, and the landlord enters a contract with the PHA called the Housing Assistance Payment Contract (HAP Contract). This ten-page contract lists the landlord’s rights and responsibilities and contains the Tenancy Addendum, which becomes a part of the rental agreement between the tenant and the landlord.

After this contract is signed and the tenant moves in, the tenant usually pays about 30

percent of his or her income toward the rent and utilities, and the PHA pays the balance directly to the landlord. Voucher holders can be required to pay a security deposit, so long as it is not greater than what the landlord charges tenants who do not have vouchers.

Clearly, the program is not overly complicated or burdensome. Indeed, no court has ever found that argument persuasive when it was presented as an excuse for discrimination. More importantly, source of income discrimination creates problems that are vastly more burdensome to our society: the great costs of segregation, generational poverty, and an unjust system where the most disadvantaged are denied basic opportunities.

We can all agree that everyone should have an equal opportunity to rent or buy the housing that one desires and can afford. With the recent passage of Erie County’s fair housing law, this goal is one step closer to becoming a reality. But first, tenants and landlords alike must fully understand their rights and responsibilities under the law. HOME is a resource for both housing providers and consumers, and everyone is encouraged to contact HOME for assistance. Our services are free and confidential – call us today! ■



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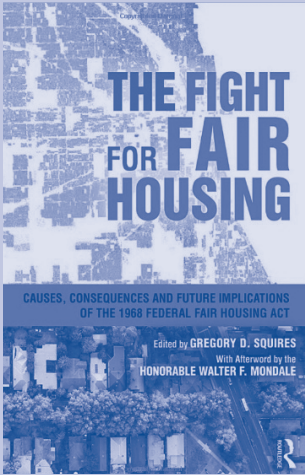


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HOME'S READING CORNER *by Christopher Allaire*

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.

Gregory Squires, Editor. *The Fight for Fair Housing: Causes, Consequences, and Future Implications of the 1968 Federal Fair Housing Act*. New York: Routledge Publishing, 2018.

In continued recognition of the fiftieth anniversary of the passage of the Fair Housing Act of 1968, this piece will be dedicated to reviewing another article from the recently published anthology: *The Fight for Fair Housing: Causes, Consequences, and Future Implications of the 1968 Federal Fair Housing Act*. This issue's article focuses on the historical origins of housing segregation in the United States and the mechanisms that have sustained it during the twentieth century. Important to this article, and to any study of housing segregation in the United States, is the centrality of grassroots social and political movements that resisted housing discrimination in all of its forms.

The chapter that we will be looking at today was written by Thomas Sugrue and is titled "From Jim Crow to Fair Housing." Sugrue, a professor of Social and Cultural Analysis and History at New York University, wastes no time in this article asserting in the first two sentences

that "there is nothing natural about housing segregation by race. It rose as a consequence of America's long and troubled history of racial violence and exclusion, but it was not inevitable." This opening remark sets the tone for a piece that assesses how segregation developed over time in the United States and was intentionally guided by racial bigotry. As a historian, Sugrue demonstrates a clear understanding of segregation's connection to earlier forms of racial discrimination, while noting how segregation transformed and took on different characteristics throughout the twentieth century.

The engines which propelled housing segregation, from Sugrue's prospective, were racially restrictive housing covenants and the modern system of mortgage financing that emerged in the early twentieth century. Racially restrictive covenants, which specified how a property could be used and who could live in a property, were used to exclude various non-white groups from renting or buying in particular neighborhoods or regions. These covenants became more restrictive over time, leading Sugrue to remark that "between 1920 and 1948, deeds in nearly every new housing development in the North and West prevented the use or ownership of houses by people other than 'the Caucasian race.'" As a result of these covenants, neighborhoods in the early twentieth century developed as racially homogeneous spaces which provided opportunities, access to jobs, and wealth accumulation for some and denied it to others.

The other major driver of housing segregation in this country was the development of the modern mortgage finance system. According

to Sugrue, the Great Depression compelled the federal government to become involved in the housing market by:

"creating the modern system of mortgage financing, with government-backed loans that minimized risk to lenders and making low-interest, long-term loans available to borrowers who previously would not have had access to loans.... Homeownership became an emblem of American citizenship, but one that overwhelmingly benefited whites and left racial minorities on the sidelines. African American borrowers, in particular, were mostly frozen out of the federally backed loans and mortgages."

The way that African Americans and other non-white groups were blocked access to these loans was through a system of neighborhood ranking which allowed real estate appraisers to deem neighborhoods desirable or undesirable for investment. "Racial composition ranked foremost" in the eyes of these appraisers and, as a result, neighborhoods with high concentrations of non-white residents would be labeled less desirable for investment than other more affluent and less diverse neighborhoods. This resulted in a lack of capital investment in more diverse neighborhoods that further strengthened neighborhood segregation in cities. Sugrue's article provides important context and historical background for understanding how segregation developed in cities across the United States. The City of Buffalo is still one of the most highly segregated cities in the county because of the historical legacy of these policies and practices. ■

MEET HOME'S NEW EDUCATION SPECIALIST, STEVEN HAAGSMA

HOME welcomed the newest member of our team on August 29th, Education Specialist Steven Haagsma. Originally from Grand Rapids, Michigan, Steven is a certified social studies teacher who most recently taught US History and Participation in Government at Health Sciences Charter School as an AmeriCorps volunteer. As a teacher, Steven witnessed firsthand the connection between education and housing. In addition to teaching, Steven performed data analysis and assisted in planning trainings and events for The Service Collaborative of Western New York. Steven joined HOME with a commitment to "equality in all forms" and is thrilled to work for an organization with the same commitment.

What did you do before you came to HOME?

I taught English as a second language in South Korea for over a year, and moved to Buffalo after coming back to the US. I spent the last academic year as an AmeriCorps Builds Lives through Education (ABLE) member at a local charter school, where I co-taught US History and did data analysis based on attendance records and Regents test results. I also worked with staff at The Service Collaborative of WNY to plan trainings for ABLE members. I contacted various speakers to schedule

them to give presentations, including a Buffalo State education professor and Congressman Brian Higgins, who spoke at the end-of-year "graduation" ceremony. I also carried out surveys to help staff improve programming for future years.

Why are you interested in fair housing and social justice issues?

Through my experiences in education, I have often found myself frustrated by structures that perpetuate inequality. They exist in almost every area of life in our country, but two areas that stand out are education and housing, which are intimately connected. I have seen firsthand what happens when students have unstable, unsafe, or even just uncomfortable home situations. Housing is the foundation for all other aspects of life. People can't be their best selves without a roof over their heads, and I came to HOME to do my part in helping people have equal access to that basic foundation.

What do you hope to accomplish as Education Specialist here at HOME?

I hope to continue the good work that previous Education Specialists did in building relationships with other groups and organizations in WNY, and

to increase awareness of HOME and the services we provide throughout WNY. I want us to be able to help as many people as possible, but we can't help people who don't know to come to us for help.

What do you enjoy doing outside of work?

I love to run. I ran cross country and track and field in college, and although I am not as competitive now as I was then, I still really enjoy it, especially with all the wonderful park space we have in Buffalo. I also enjoy reading, although because I am currently taking graduate classes at UB, most of my reading is for school rather than for pleasure right now. I also love to travel. While I was living abroad in Korea, I had the opportunity to visit several other countries. I love getting to see other cultures and ways of viewing the world, as well as trying foods from around the world. Lately I have been around the northeastern US and Canada, including Boston and Toronto. ■



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