



INSIGHT is published through the generous support of contributors to HOME

INSIGHT

HOME'S 3RD ANNUAL COMMUNITY BLOCK PARTY & BBQ A SUCCESS

For the third summer in a row, HOME's parking lot was transformed for an afternoon and people from all over Buffalo came to enjoy music, games, food, and more. Building on the success of the first two years of the event, the turnout was the best yet. Drawn in by the smell of hot dogs and hamburgers grilled by HOME staff and by DJ Blenn's music, people came from both sides of Main Street to enjoy community in the beautiful summer weather.

HOME's office on Main Street is perfectly placed to draw people from across the Main Street divide, and the annual community barbecue is the perfect event to bring the city together. In addition to the burgers, hot dogs, and music, people were able to enjoy a variety of entertainment throughout the afternoon. Early on, the Erie County Mobile Library arrived, allowing people to check out or return books. Both the Buffalo Fire Department and the Buffalo Police Department were in attendance as well, showing kids their vehicles and having a friendly siren competition. Northwest Bank and the Fire Department also



gave away smoke detectors to anyone who wanted them.

Kids were drawn away from the cotton candy, popcorn, and snow cones by the boisterous entrance of Sabretooth, the Buffalo Sabres' mascot, who danced and took pictures with kids and adults alike. Throughout it all, kids played catch and beanbag toss while their parents were able to get free backpacks soon before the start of a new school year. Many of HOME's community partners were in attendance to make their services available, including YourCare Health Plan, who also sponsored the event by providing the hot dogs and hamburgers.



Throughout the event, HOME's staff grilled, scooped popcorn, and mingled with the crowd making sure everyone knew that we are here not just this one day a year, but every day to help protect people's rights. We received 16 new members along with four renewed memberships on the day, the cherry on top of a very successful Saturday afternoon. We hope to continue to build on this year's success for next year's fourth annual event. ■

HOME

Housing Opportunities Made Equal

1542 Main Street
Buffalo, NY 14209
716.854.1400
www.homeny.org

UPDATE ON NEW YORK STATE LAWS

by Dan Corbitt, Esq.

I recently met with a landlord who had several questions regarding legislation passed earlier this year that affects housing throughout New York State. Much of the information the landlord had heard was incomplete or downright inaccurate, and her understandable confusion and frustration was starting to boil over. The landlord exclaimed that she would have to sell all of her rental properties, since the changes to the law—particularly those that involved rent stabilization—would make it impossible to continue to operate her business.

I began by reassuring the landlord that there is no reason that she cannot continue to be a successful housing provider, so long as she is well-equipped with accurate information and best practices.

First, I discussed the Lawful Source of Income Non-Discrimination Act of 2019, which was signed into law in April and makes it unlawful to refuse to rent or sell housing to someone

based on that applicant's lawful source of income. In other words, if someone can afford a house or an apartment, that person should have an equal opportunity to rent or buy it, regardless of how they intend to pay. Of course, home seekers must be able to afford the housing, but income from rental assistance, veterans' benefits, child support, disability benefits, and other legal sources must be considered on equal terms as income from employment.

Next, I explained how passage of the Housing Stability and Tenant Protection Act of 2019 significantly modified several areas of New York State's landlord-tenant laws that regulate the amount of fees and security that can be charged, notice requirements for raising the rent or ending the tenancy, and changes to summary proceedings, or evictions.

I also addressed the landlord's concerns over rent stabilization, which limits the amount that landlords can charge in

rent for apartments in buildings of six or more units constructed before 1974. Under the new law, municipalities have the choice to adopt rent stabilization programs locally, by first declaring a housing emergency, defined as a residential vacancy rate of less than five percent. At the time of this writing, rent stabilization provisions do not apply anywhere in Western New York, as no municipality has taken the necessary steps to adopt them.

The specific changes impacting housing throughout the state are comprehensive and cannot be adequately covered in this space, but HOME is here to help both landlords and tenants understand their rights and responsibilities under the law. Several informational seminars have already been held, and more are planned in the near future. Contact HOME today to sign up for an upcoming training session to ensure that you are properly equipped to handle whatever housing challenges you encounter! ■

JOIN OUR CORPORATE MEMBERSHIP TEAM TODAY!

Housing Opportunities Made Equal is a civil rights organization whose mission is to promote the value of diversity and to ensure all people an equal opportunity to live in the housing and communities of their choice – through education, advocacy, the enforcement of fair housing laws and the creation of housing opportunities.

We are currently gearing up for our 2019-2020 Corporate Membership Campaign. An information packet will be mailed out later in October. Whether you are a current member, have contributed to HOME in the past or never contributed to HOME before, we welcome your support and contribution now more than ever. Please consider supporting our organization and its mission, and exercising your voice to stand up against housing discrimination. Let's all be part of the greater good!

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. We have various levels of corporate sponsorship opportunities which come with varying support packages. All package levels include tickets to HOME's 57th Annual Dinner next spring and recognition in the annual dinner program, recognition on HOME's website and in *Insight*, and a one-year HOME membership. We can also customize giving opportunities as well.

Please join us in this fight, and become a corporate member today! Contact Laurel Mark, HOME's Development Officer, at: (716) 854-1400, Ext. 22 or email her at: lmark@homeny.org. Thank you so much for your continued support!

MEET HOME'S NEW TEAM MEMBERS

HOME was happy to welcome two new team members this summer. Laurel and Jessica sat down to answer some questions so you can get to know them.

LAUREL MARK, DEVELOPMENT OFFICER

Please detail your journey to HOME, and your interest in HOME's work.

My journey to HOME has been quite an interesting one—and quite unexpected. I have a lot of experience in various fields of employment. I've worked in both the non-profit and for-profit sectors including: the American Red Cross, SABAH, OLV Homes of Charity, the Buffalo Science Museum, the Girl Scouts, Meals on Wheels, and Perry's Ice Cream. I also worked at Native American Community Services where I coordinated and managed Family Night programs, scheduled health educators to present workshops at various BPS schools and Boys & Girls Clubs, coordinated registration for cultural competency trainings and conferences, and organized health & wellness fairs. I most recently worked at a refugee resettlement agency doing community outreach work where I conducted bi-monthly volunteer orientations and assisted with coordinating volunteers, curated content for the bi-weekly volunteer newsletter, and recorded in-kind donations into a donor management database. For a variety of reasons, I started looking for other opportunities earlier this year. In early June, I came across an ad for HOME's Development Officer, and felt that it would be a better fit for me. I interviewed for the position—and here I am!

From your perspective, what are the most critical issues facing WNY?

While Buffalo has made great strides over the past several decades to welcome culturally diverse peoples from across the country and all over the world, there is still racism and segregation happening today. I feel that the most critical issues currently facing Western New York are racial and social inequities, pay inequities, segregation and housing discrimination. HOME has been around for over 50 years and is well recognized in the WNY community for taking a stand against some of these inequities. I'm grateful and blessed to be a part of this organization and hope that I, along with my colleagues, can continue to make a difference in the lives of the people we serve. I also hope to make stronger connections with people in the WNY community who can help us make a difference in the fight against housing discrimination.

What do you hope to accomplish as HOME's Development Officer?

As HOME's Development Officer, I would like to continue cultivating and maintaining relationships with members, donors, corporate sponsors and the board of directors. I believe that getting to know people and establishing good relationships goes a long way to promote HOME's mission and vision, and why we ask for help from the public in advocating for fair housing. I'm looking forward to coordinating special events such as the annual dinner and the BBQ. I also hope to develop a better opportunity for planned giving efforts and leaving a legacy to HOME. I look forward to getting to know other development professionals in WNY, as well as the friendly HOME staff.

You worked for a number of non-profits throughout WNY before joining HOME's staff. When did you become interested in social justice issues?

I've always been interested in social justice issues – starting from when I was a young girl. I remember when the first African-American family moved into the neighborhood. I became friends with one of

the girls, and was always welcome in her home. Unfortunately, she was unwelcome in mine because of a family member's prejudice. That just didn't sit well with me. Then in college, I became aware of various women's issues and participated in several rallies advocating for the Equal Rights Amendment, pro-choice, and take back the night initiatives. Also, the church that I grew up in and the church I'm currently a member of both have long histories of supporting social justice issues and initiatives.

What are some of your hobbies, or things you enjoy doing in your free time?

I enjoy relaxing down by the river and watching the sunset, reading, going to movies, and getting together with friends. I belong to two book groups, although I usually only go to the dinner meetings for the food and to socialize with others. I also enjoy singing, and am still trying to get back into my church choir, dancing, and African drumming – although it's been awhile since I've participated in a drum circle. My ultimate goal is to purchase a djembe drum at the Juneteenth Festival so that I can get back into some local drumming circles.

JESSICA TIBURCIO, EDUCATION AND OUTREACH INTERN

You recently completed a summer as HOME's Legal Intern before being hired as our Education and Outreach Intern. What made you interested in continuing to work for HOME?

I have a fond admiration of HOME's initiatives, community involvement, and educational programs. I wanted to continue to be a part of HOME's growth as an organization in the WNY community, and hopefully other communities in the near future.

You are also a second-year law student at UB and in the MPH program—in what ways has your work at HOME and education experience informed one another?

My role as a legal intern at HOME intersected with the purpose of legal public health initiatives. Public Health often consists of the health of a population, especially as the subject of government regulation and support. The location of everyone's home is a critical social, economic, and legal determinant, as it shapes the conditions in which people live and explains, in part, why some people are healthier than others. My internship consisted of helping HOME ameliorate these conditions for underserved and marginalized people.

What experience did you gain from your summer internship that you think will be useful in the future?

I learned innumerable skills from the people that keep HOME running. Everyone at HOME has a crucial role in not only the organization but also the lives of individual people in our community. Observing HOME's interactions with the community gave me insight on how to begin, maintain, and improve client relationships.

What is the most important thing about HOME's services that you would want everyone to know?

HOME is the only not-for-profit agency in Western New York providing comprehensive services for victims of housing discrimination. These services include recording and investigation of reported incidents of discrimination, paralegal counseling, client advocacy to conciliate

(continued on page 4)

(continued from page 3)

validated complaints, case preparation for legal action, and emotional support for victims and their families. We need more organizations in the WNY area that gives a voice and support to victims of injustice.

From your perspective, what are the most critical housing issues facing Western New York?

From my perspective, housing discrimination is the most critical housing issue facing WNY. Housing discrimination often occurs as a result of micro-aggressions that go unnoticed. For example, as a legal intern at HOME, I received the opportunity to research laws governing reasonable accommodation as it relates to zoning ordinances. Through my research I realized that municipalities often fail to incorporate

reasonable accommodation standards within their zoning ordinances, which adversely affects and displaces people with disabilities.

When did you become interested in fair housing issues? Or—What initially drew you to be interested in working at HOME?

Back home, while I was an undergraduate at John Jay College, I interned for the Kings County Housing Court. As an undergraduate I became aware of how complex our housing system is. As a law school student, I wanted to gain a deeper understanding of housing issues, particularly through a fair housing perspective, and that is why HOME piqued my interest. ■

CLIENT SPOTLIGHT

by Steve Dalton

Ms. Wyatt came to HOME in dire need of housing. She had just received her Section 8 Housing Choice Voucher (HCV) for the first time and needed housing search assistance. Ms. Wyatt contacted HOME about our Community Housing Center (CHC) Program. This program is a housing search assistance program for first time HCV holders that can also potentially provide a \$400 security deposit.

Ms. Wyatt had previously located housing during her housing search process. She found a landlord that was willing to work with her voucher and they began the process. During the HCV process another potential tenant approached the landlord with a cash security deposit. The landlord reneged on the deal that was previously agreed upon with Ms. Wyatt. This exact situation happens every day around the country to folks who have vouchers as landlords would rather take cash up front than take the time to work with tenants in the HCV program. This caused Ms. Wyatt to miss out on a housing opportunity that she was more

than qualified for. In addition to this, Ms. Wyatt was quickly approaching her deadline to find housing. If she was unable to locate housing before her deadline was up, then she would have lost her voucher.

Luckily HOME was able to quickly help locate an apartment for Ms. Wyatt. HOME assisted Ms. Wyatt with a \$400 security deposit and with the HCV process. As a result of this, Ms. Wyatt was able to save her voucher and find suitable housing that would fit her needs!

One of the biggest issues HCV holders face in the City of Buffalo is the unwillingness of landlords to work with vouchers, even though it is illegal to discriminate against someone solely on the basis of their source of income under New York State, Erie County, and City of Buffalo law. If you have been denied housing solely on the basis of having a Section 8 voucher or other government assistance, please make sure to contact HOME. ■

This is what

We are here for



Housing Opportunities Made Equal
716-854-1400 | 1542 Main St. @ Ferry

"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.

HUD MOVES TO DISMANTLE DISPARATE IMPACT PROTECTIONS

by Steven Haagsma and M. DeAnna Eason

Fair housing organizations such as HOME have several tools available to fight housing discrimination. Unfortunately, the United States Department of Housing and Urban Development (HUD) moved this summer to dismantle one of those tools. The proposed rule change would affect disparate impact rulings, which allow cases to be brought if a particular practice or policy disproportionately harms people based on protected classes, such as race or familial status. Under disparate impact, it is possible to put an end to practices that have discriminatory effects even if the practice or policy in question is not explicitly discriminatory.

While the new rule does not entirely do away with disparate impact rulings, which have been upheld by the Supreme Court, it raises the burden of proof to a nearly impossible level and adds new legal protections for landlords and mortgage providers against disparate impact allegations. Taken together, these changes will make it all but impossible to bring successful disparate impact cases in courts.

As the rule currently stands, there are three parts to the burden shifting: 1) the plaintiff makes an allegation of discrimination, 2) the defendant offers a rebuttal, and 3) the plaintiff responds.

HUD's proposed rule would require plaintiffs to 1) prove a policy is "arbitrary, artificial, and unnecessary" to achieve a valid interest; 2) exhibit a "robust causal link" between the policy and the disparate impact; 3) demonstrate that the policy adversely affects members of a protected group; 4) show the impact is "significant"; and 5) prove that there is a direct link between the disparate impact and the alleged injury. This proposal is requiring that an individual alleging discrimination show that the practice is flawed, before any discovery evidence is presented.

WHAT THIS MEANS

This proposal makes it all the more difficult for plaintiffs of discrimination allegations to prove that discrimination occurred. All occurrences are not obvious; some are quite subtle and result in an unlevel playing field for people who have been historically denied basic human rights because of their membership in a protected class. As a society whose goal should be equality and equity for all, if passed, this rule will allow the ugly narrowmindedness of discrimination to drive us further apart. This rule will allow the rebuilding of the systems of segregation that champions of civil and human rights have fought to destroy for decades.

EXAMPLES

A lease stipulation that more than three emergency service calls in a six-month period is grounds for eviction may have a disparate impact on people who suffer from mental illness or women who are domestic violence survivors (anyone can experience domestic violence but women do so at a higher rate).

A blanket criminal history screening policy in place that bans all applicants with any criminal history, regardless of factors like the nature of the crime, how long ago it occurred, or actions an individual has taken to rehabilitate themselves may have a disparate impact on African Americans.

ACTIONS

HOME joined with other fair housing organizations across New York to encourage people to leave a public comment on HUD's proposed rule in the hopes of preventing the rule from going into effect. At the time of writing it is uncertain whether these efforts have been successful, but it is nonetheless important to defend this important tool in combatting discrimination and protect the civil rights of all people. ■



Housing Opportunities Made Equal

HOME STAFF

M. DeAnna Eason, Executive Director
Daniel J. Corbitt, Esq., Associate Director
Christopher Allaire, Investigations Coordinator
Nichelle E. Brown, Senior Counselor
James L. Dahlberg, Bookkeeper
Stephen Dalton, Mobility Counselor
Steven Haagsma, Education Specialist
Zuleyka Serrano, Receptionist
Laurel Mark, Development Officer

BOARD OF DIRECTORS

Nancy M. Blaschak, Chair of the Board
Charles E. Colston, Senior Vice Chair
Philippe P. Deterville, Vice Chair
Leslie A. Vishwanath, Treasurer
Howard K. Hitzel, Ph.D., Secretary
Janet E. Barnes
Marcus O. Brown
Trina Burruss
Erin Carman

Charles H. Cobb, Esq.
Diana Cooke
Andrea D. Mays
Elliot Raimondo
Todd G. Vaarwerk
Bradford R. Watts

MEMBERSHIP IS OUR STRENGTH - JOIN TODAY!



Housing Opportunities Made Equal

1542 Main Street
Buffalo, NY 14209
716.854.1400
www.homeny.org

NON-PROFIT ORG.
US POSTAGE
PAID
Buffalo, NY
Permit No. 427

Housing Opportunities Made Equal, Inc

57th Annual Dinner Celebration

Save the Date

5-1-2020



Keynote Speaker:

Dr. JaNay Queen Nazaire,
Chief Strategy Officer, Living Cities,
Washington, DC



Housing Opportunities Made Equal