

HOME JOINS SIX FAIR HOUSING AGENCIES IN DISABILITY DISCRIMINATION LAWSUIT

By Chris Allaire and Steven Haagsma

In March, HOME joined with six other fair housing organizations from across the United States in filing a federal lawsuit in the Northern District of New York, alleging widespread violations of fair housing laws against persons with disabilities by Clover Group (headquartered in Williamsville) and related entities. HOME uncovered evidence of discrimination after conducting investigations at a number of Clover Group's properties in Western New York.

During the investigations, HOME and its partners uncovered widespread violations of the federal Fair Housing Act's accessibility requirements at 38 properties across New York, Ohio, Pennsylvania, and Indiana. The inaccessible features identified include bathrooms, doorways, patios, mailboxes, parking, and routes to and from units and public and common use areas. All properties are senior living properties advertised for individuals 55 years and older. During the investigation, HOME's testing revealed that Clover Group was regularly charging premium prices for first floor units or units near elevators—a pricing scheme that would need to be waived in response to reasonable accommodation requests, but which Clover refused to waive. HOME testers also found that Clover denied requests for reserved parking spaces at properties across WNY. Clover Group's property holdings in Western New York are vast and include properties in Tonawanda, Buffalo, Lancaster, Lackawanna, North Tonawanda, West Seneca, Hamburg, and Amherst.

“It is unfortunate that fair housing is still being denied in this day and age. Clover Group has perpetrated willful acts of discrimination against persons with disabilities in nearly 40 of their properties, spanning 4

states,” expressed Executive Director DeAnna Eason. “This should serve as a reminder that there is still much work to be done in fighting for equality and equity for all.”

Associate Director Dan Corbitt added, “Affordable, accessible housing remains chronically scarce in Buffalo and throughout the nation. Discrimination compounds this problem by denying persons with disabilities the opportunity to live in housing that is otherwise accessible, leading to higher rates of housing insecurity and homelessness. Therefore, it is in everyone's interest that housing providers meet their obligations under federal, state, and local fair housing laws to ensure a more inclusive and equitable housing system for all.”

“...HOME and its partners uncovered widespread violations of the federal Fair Housing Act's accessibility requirements at 38 properties across New York, Ohio, Pennsylvania, and Indiana.”

HOME's partners in this investigation and lawsuit are Fair Housing Center of Central Indiana (Indianapolis, IN); the Fair Housing Center for Rights & Research, Inc. (Cleveland, OH); Housing Opportunities Made Equal of Greater Cincinnati, Inc. (Cincinnati, OH); Toledo Fair Housing Center (Toledo, OH); CNY Fair Housing Council, Inc. (Syracuse, NY); and the Fair Housing Partnership of Greater Pittsburgh, Inc. (Pittsburgh, PA). HOME and these partners are seeking to require Clover Group to ensure accessibility at

all of their properties, including providing accessible routes to each unit, adding additional accessible parking spaces, providing accessible routes to common areas, and more. The lawsuit also seeks to hold Clover Group accountable to creating a reasonable accommodation policy in line with federal law. After the lawsuit was filed in March, Clover Group sought a motion to dismiss the complaint, which was denied. The case is now proceeding through litigation.



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Buffalo, NY 14209
716.854.1400
www.homeny.org

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INSIGHT



Housing Opportunities Made Equal



HOME STANDS WITH JEFFERSON AVENUE COMMUNITY IN WAKE OF MAY 14 SHOOTING

By Steven Haagsma

We always grieve for the lives lost in horrific acts of violence like the one that took place at Tops on May 14, but as an organization rooted in Buffalo we feel the devastation of this event far more acutely. The gunman carried out an act of white supremacy and terrorism that affected not only the family and friends of those killed but also the entire community. In the weeks that have followed, HOME has sought to assist the East Side community in multiple ways.

We began by collecting non-perishable food items, paper products, personal hygiene items, and pet food to be given to community members who were either directly impacted by the shooting or who may have been afraid to go to the grocery store in the weeks after the attack. We also donated several dozen HOME tote bags to the Rooted in Love food pantry and to Buffalo Community Fridge to help them distribute food.

The gunman said explicitly that he targeted the Jefferson Avenue community because it has one of the highest concentrations of Black residents of anywhere in New York State. This concentration did not come about

by accident. Buffalo is among the most segregated cities in the country and became this way because of decades of government policy that reinforced individual prejudice. Housing discrimination, legally enforced for decades and continuing illegally in recent history, created neighborhoods segregated by both race and economic status. This created the conditions that led the racist young man to target this community with violence on May 14, but those who died that day are not the only ones to have died because of racial and economic segregation. East Side residents are more likely to live in food deserts with little or no access to healthy food, to rent rather than own their home, to live in substandard housing where they are exposed to environmental hazards such as lead and vermin, to be forced to engage in exploitative rental agreements with slumlords, and to experience violence in their neighborhoods. The systemic racism of America's past and present harms this community every day. We hope that the current focus on the pain Buffalo's East Side has endured since May 14 can be channeled to also address the pain inflicted on these communities every day for decades.

Recently, the Community Foundation for Greater Buffalo and United Way of Buffalo & Erie County announced the Buffalo Together Fund, a collaboration of multiple funders seeking to address urgent needs in our community, long-term community rebuilding, and systemic issues that have marginalized communities of color. 70 organizations were identified to receive funding, including HOME. We have received \$20,000 through the fund to address housing issues that disproportionately affect Buffalo's East Side and those who live there. In order to direct our efforts where they are most needed, we will be reaching out to the community to listen to their needs.

Thank you to everyone who has already donated to our food drive or offered help in other ways. We continue to accept donations and will continue to support the community in any way we can, including as a recipient of the Buffalo Together Fund. ▲▲▲▲

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HOME'S MOBILITY PROGRAM SEES CHANGES

By Steven Haagsma

HOME's mobility program has a new name: the Mobility Assistance Program (MAP) is now the Making Moves Program (MMP). The program is similar, but MMP will focus more strongly on families with young children. To be eligible for the program, families must have a Section 8 Housing Choice Voucher and have at least one child under the age of 18 in their household, with preference given to families with children under 10. Priority will also be given to families with documented environmental health problems.

Once a client enters the program, they receive comprehensive housing search assistance from HOME's mobility counselors. Some of the primary changes from MAP to MMP include limiting caseloads to 25 clients per counselor to ensure that all clients are able to receive the personalized attention they deserve and increasing communication to understand what problems or situations may cause clients to drop out of the program. These changes will allow HOME to serve clients and address their needs better. As before, MMP's goal is to help families move to high-opportunity areas, which include all of the same areas that were eligible under MAP along with certain ZIP codes defined by Section 8 agencies as exception payment zones (where vouchers are eligible to pay for higher rents).

MMP funding comes from New York State and will be administered by Enterprise. The funding allows HOME to assist clients with moving expenses, security deposits, application fees, and first month's rent. HOME will continue to partner with landlords to house MMP clients, and participating landlords are eligible for up to \$5,000 in home improvement grants.

Making Moves Program Manager Adrienne Kosis said, “The Making Moves Team is excited that we are able to continue the great work we have been doing over the last two years. This is a much-needed program for families with Housing Choice Vouchers. Our clients are grateful for the education and guidance we provide during their housing search and lease-up on a new apartment. Many of them have thanked us for being a kind voice on the other end of the phone, especially when they are in dangerous living situations and think there is no hope.” As MMP takes off, HOME will continue working tirelessly to help families access quality housing in neighborhoods where their children can be safe and find opportunity as they grow.



HOME STAFF

DeAnna Eason, *Executive Director*
Christopher Allaire, *Director of Investigations*
Olivia Carl, *Investigations Coordinator*
Jim Dahlberg, *Bookkeeper*
Emily Gillig, *Director of Operations*
Alejandro Guidos, *Fair Housing Specialist*
Austin Gutierrez, *Fair Housing Specialist*
Maureen Hunley-Barnes, *Health & Housing Advocate*
Alaya Kirkley, *Office Administrator*
Alice Moore, *Senior Mobility Coach*

Daniel Corbitt, Esq., *Associate Director*
Nichelle Brown, *Landlord Outreach Specialist*
Brynn Covington, *Enforcement Specialist*
Mary Diaz, *Intake Specialist*
Scott Glinski, *Development Officer*
Olivia Guthrie, *Investigations Coordinator*
Steven Haagsma, *Education Specialist*
Jungmin “Minnie” Kim, *Community Engagement Spec.*
Adrienne Kosis, *MMP Program Manager*
BreAnn Parker, *Housing Placement Specialist*

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BANKING IS EVERYBODY'S BUSINESS: IMPORTANT CHANGES TO FEDERAL AND NEW YORK STATE'S CRAS

By Minnie Kim

What does banking have to do with housing? Banks are major decision-makers in mortgage lending and housing development, which affect a neighborhood's levels of homelessness, homeownership, and gentrification.

Community Reinvestment Acts (CRAs) are Civil Rights Era laws meant to hold banks accountable to the communities they should be serving. CRAs traditionally require brick-and-mortar banks to invest in the communities where they are physically located. CRAs assess banks on how much lending, investment, and philanthropy they do in Low-to-Moderate-Income (LMI) communities. CRAs were created in response to redlining, the historical practice in which the federal government designated neighborhoods with higher Black populations as least deserving of federal support for mortgage loans, and banks therefore widely approved white homeseekers for mortgage loans while denying Black homeseekers. Because homeownership is the main way that everyday families create intergenerational wealth, redlining created racial homeownership and wealth gaps which persist today across the USA, including in Buffalo.

HOME spoke with Kathryn Franco, Chair of the Buffalo Niagara Community Reinvestment Coalition (BNCRC), a coalition fighting to end inequitable banking practices in WNY, to learn about changes to the state and federal CRAs.

Finalized Changes to New York State CRA:

In November 2021, NYS's CRA was expanded to apply to non-depository lenders (such as mortgage lenders like Rocket Mortgage) in addition to banks. This expansion followed a Department of Financial Resources report finding that banks in WNY were engaging in practices resembling redlining, and that non-depository institutions were playing growing roles in the financial landscape without being subject to CRA regulations. According to Franco, "The New York CRA's expansion is great because it gives advocates a real idea of what's happening, acknowledges that discriminatory practices still exist in 2022, and provides new consumer protections for everyday people who are relying more and more upon these newer kinds of financial institutions to give them access to funds and to mortgages."

Pending and Potential Changes to federal CRA:

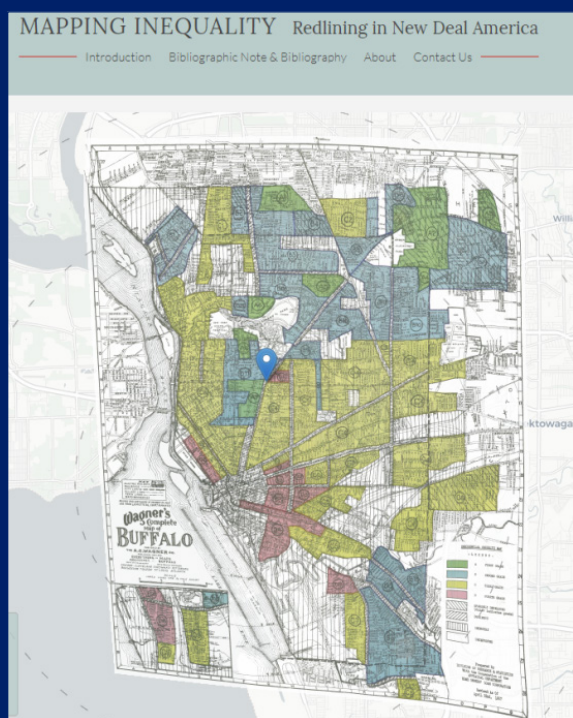
Franco explained that the federal CRA's regulators have recently announced several proposed changes, including expanding CRA assessments to apply to internet banking and financial technologies as well as to brick-and-mortar branches. Franco explained that banks were previously able to hide activities in unregulated areas, and that these increased regulations would benefit everyday people.

Franco noted, however, that some other pending changes and existing weaknesses of the federal CRA are areas for community concern. For example, the CRA needs more rigorous assessments and stricter geographical requirements. Franco explained, "Sometimes you would

AREA DESCRIPTION (For Instructions see Reverse Side)	
1. NAME OF CITY	BUFFALO, N. Y. SECURITY GRADE FOURTH AREA NO. D-1
2. DESCRIPTION OF TERRAIN.	A small, old area occupied almost entirely by railroad porters and their families.
3. FAVORABLE INFLUENCES.	Nearness to stores, transportation, schools, etc.
4. DETRIMENTAL INFLUENCES.	Age and condition of buildings as well as type of occupant.
5. INHABITANTS:	
a. Type Laborers & Porters	b. Estimated annual family income \$900. - \$1,500
c. Foreign-born Italian	5%; d. Negro Yes 95%; (Rationality) (Yes or No)
e. Infiltration of Negro	f. Relief families Many
g. Population is increasing	decreasing; static.

Redlining document from 1930s for East Buffalo neighborhood Source: Mapping Inequality, University of Richmond

see that banks would be providing investments in areas outside of their assessment area, or there would be a push for branch assessment areas to go away and for all of a bank's branches to be treated as a lump without specific geographical requirements. Without these specific geographical requirements, banks are able to hide whether they are serving their nearby LMI communities and communities of color." Franco observed that banks currently easily pass CRA assessments even when performing behaviors which the CRA is meant to detect and punish: in 2015, Evans Bank received a passing grade on its CRA examination just prior to being caught effectively excluding Buffalo's predominantly Black East Side from receiving their services.



Redlining map of Buffalo. The blue pin marks the neighborhood graded in the other image. Source: Mapping Inequality, University of Richmond

Franco also noted that racial equity activists want the federal CRA to be amended to acknowledge the historical reasons for its existence.

How to get involved:

Franco urged WNY residents to become involved in making banks work better for everyone: "For many, banking sounds pretty dry, and they wonder, 'What does banking have to do with my everyday life?' And in reality, banking shapes our lives in so many ways. Our financial institutions reflect our systems and reflect our priorities. Banks hold our city budgets. They have shaped the ways that our neighborhoods look. They shape our quality of life."

She suggested some questions to ask banking professionals: "You can start with something as simple as 'How can I make banks work better for me? How do I access equity in my home in a way that makes sense for me and that isn't always extractive? ... Can I have a no-fee checking account? Do you have those options?' Many times, banks do have those options—sometimes only after coalitions work with them to make them happen—

but will not offer those options right away."

She encouraged people to feel empowered about asking questions: "Banking has been structured to be intimidating. Banking entities are behemoths. They have a lot of money and a lot of connections and they wield a lot of power. But when it comes to municipal budgets or our deposits, it's our money, so we most definitely should feel empowered to be asking questions, to be digging a little deeper."

Social justice advocates interested in learning more about WNY banks' impacts on the region are invited to contact Kathryn Franco at kfranco@wnylc.net. ▲▲▲▲

HOME'S READING CORNER



By Chris Allaire

HOME's Reading Corner is intended to give our supporters a summary of the significant books, articles, and academic studies on housing in our region and nationally. 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.

"A Paired-Testing Pilot Study of Housing Discrimination against Same-Sex Couples and Transgender Individuals." *Urban Institute*, 2017.

In this issue's article, we will be analyzing a 2017 study by the Urban Institute on housing discrimination in the rental market against the LGBTQ+ community. This study was undertaken by the Urban Institute, a think tank based in Washington D.C. that conducts

research to provide "data and evidence to help advance upward mobility and equity." The Urban Institute developed this study to be a large-scale assessment of discrimination against the LGBTQ+ community and they contracted with fair housing organizations in Washington (DC), Dallas (TX), Long Beach (CA), and Los Angeles (CA) that conducted undercover investigations in the rental market. These investigations were undertaken using paired testing, a fair housing testing strategy that compares the experiences of an investigator posing as someone of a protected class, such as a gay man, against those of a control tester, such as a heterosexual man.

The broad geographic reach of this study allowed researchers to investigate discrimination outside of the conditions of a single municipal area and enabled investigations on a truly massive case. According to the Urban Institute, their researchers conducted over 2,000 paired tests comprised of "1,200 in-person tests split evenly between women and men posing as part of a same-sex couple, 204 in-person tests with transgender individuals split between two protocols, 300 remote tests with women posing as part of a same-sex couple, and 305 remote tests with men posing as part of a same sex couple." The findings of this wide-reaching study provide important insight into the status of discrimination against the

Q&A HOME'S NEWEST TEAM ADDITIONS

What did you do before you came to HOME?

What excites you about working for HOME?

What hobbies or interests do you have outside of work?

SCOTT GLINSKI DEVELOPMENT OFFICER

I have been in grant writing and fundraising for non-profits and universities for many years. I also worked in city planning and grant writing for the City of Jamestown, NY where I wrote many grants supporting housing rehabilitation projects and was first introduced to fair housing laws and their enforcement. Most recently, I worked for Compass House as the Director of Development and focused on Emergency Shelter grants and program needs for homeless and runaway youths.

HOME is the only organization that does what it does in Western New York. It's so important that our community is educated and informed on fair housing laws as unfortunately they are broken quite frequently. I'm excited to be able to contribute my skills and experience to the cause by raising funds to support HOME's programs. It brings me back full circle to my focus on housing where I began my career.

Outside of work, I'm interested in painting with acrylics. It's very stress relieving! I have a teenage daughter who loves musical theatre, so we go to She's quite often.

MAUREEN HUNLEY-BARNES HEALTH AND HOUSING ADVOCATE

Before coming to HOME, I worked at Kaleida Health for twenty-one years. I was also a Social Case Worker for Erie County Children Services and had a short term position as a Patient Health Navigator. Outside of full-time employment, I have been and still serve as a Foster Parent with Erie County/Buffalo Urban League.

Back when I was in my early twenties, I lived in sub-standard housing with all that the term implied: water leaks, rats, insecure windows and doors, not at all well insulated. The landlord didn't want to fix any of it. Looking back on what I went through, that started the ball rolling; and I felt that a voice was needed to keep others from the same issues or any other negative issues that I could advocate for on their behalf. I'm truly for what one may call "the underdog".

I started a 501(c)3 charity called Team Nick, INC. whose mission is to provide educational materials and support for children born with developmental Issues. I serve as Co-Vice President of the Down Syndrome Parent Group of Western New York. I'm also a part of the Health and Wellness Ministry at my church, First Calvary Missionary Baptist Church. In essence, I try to make the world and/or my community better for as many as possible. Finally, I enjoy reading the Bible and mystery and romance books in my free time.

LGBTQ+ community and prompts intriguing questions that need to be investigated through further rigorous studies.

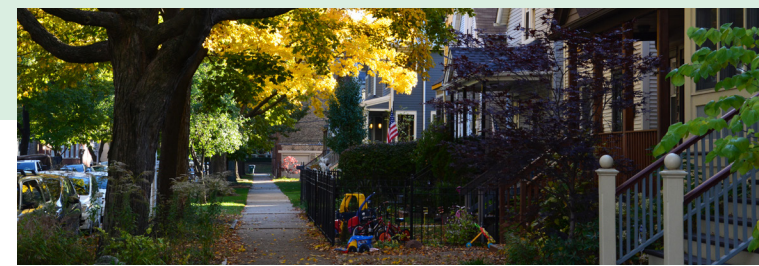
Some of the most significant findings in this study concern discrimination and variation in treatments of same-sex couples and transgender investigators. In particular, this study reveals that transgender investigators were given fewer rental options across their investigations and that housing providers "were less likely to tell transgender homeseekers who disclose their gender status about any available units and told them about fewer units on average." Interestingly, the study also reveals that not all same-sex couples experience similar rates of discrimination and that gender plays an important role in the expression of discrimination. For example, while the study found that landlords provided lesbians and heterosexual women with nearly the same number of offers to see an apartment and were told about the same number of units, gay men were told about fewer available units and were less likely to be offered an appointment than heterosexual men. Additionally, while lesbians and heterosexual women were quoted similar prices for apartments, this study found that "the average yearly costs agents quoted gay men were \$272 higher than the costs quoted to heterosexual men."

HOME'S 2022 FAIR HOUSING MONTH POETRY CONTEST

By Minnie Kim

HOME's 2022 Fair Housing Month events included a poetry contest. The First Place poem exhibits thought-provoking tension between the religious concept of sanctuary versus the secular housing stability facilitated by homeownership, and evocative imagery comparing birds sheltering in a walnut tree to human renters experiencing housing instability and seeking refuge within a home-owning matriarch's house. The Second Place poem meditates upon how the

These findings are significant in that they have wide reaching and long-term impacts in individual neighborhoods and for the LGBTQ+ community as a whole. This study demonstrates that some members of the LGBTQ+ community are forced to spend more on housing than their heterosexual neighbors, which can have the effect of limiting their neighborhood choice and increasing their housing cost burden. When same-sex couples and transgender individuals are told about fewer apartments than heterosexual couples and cisgender individuals, they are denied equal access to housing opportunities based on their sexual orientation or gender identity. In New York State, this type of discrimination is illegal. However, sexual orientation and gender identity/expression are not federally protected classes, meaning that these protections exist only on the state or local level, creating a patchwork of protections across the country. While HOME celebrates Pride Month and the steps that our community has taken toward equality, it is important to identify and acknowledge the barriers that the LGBTQ+ community faces related to housing discrimination to this day. ▲▲▲▲



real estate market's volatility and the wealth gap between renters and real estate speculators trap renters into being lifelong renters, forever unable to achieve homeownership themselves, and forever enriching already-wealthy landlords. Other winning poems discussed topics such as domestic violence, systemic racism's cumulative impacts, homelessness, slumlords, and the increasing unaffordability of housing. Thank you to everyone who submitted a poem!

First Place:
Evelyn Brady
"Sanctuary"

Second Place:
Robyn Halicki
"Home Economics"

Third Place:
Gina Maria Kleinmartin
"It's Not Just a House"

Honorable Mention:
Gerldine Wilson
"Equal"

Honorable Mention:
Roemello White
"Home"

Honorable Mention:
Danielle Boyd
"A Home"

First Place Poem: "Sanctuary"
by Evelyn Brady

The vocabulary challenge for the day: "sanctuary." I asked my students to explain this holy word. "My grandma's house on Michigan," Deshawn called out without hesitation. "And Miss, if you need your lawn cut or anything, we need the money." "Money?" I asked. "Yeah, taxes really overdue." After school he explained. All five of Mabel's children rented, sometimes changed residences frequently. But the house on Michigan, a permanent refuge. "Kind of an island in a sea of anger," he explained. "There's a fenced yard with old bikes, a table, a grill for family celebrations, and a glider for a summer nights to dream with your girl. In the kitchen, twenty-four-hour coffee at a table to sit fourteen people. My grandma told me the walnut tree in the side yard Welcomes birds to nest in every season. They remind her of her children. What will happen, Miss, if the tree were chopped down?"

Second Place Poem: "Home Economics"
By Robyn Halicki

It's less expensive
To buy a multi-family house
In my little city
As low as
\$60k for 2-3 units
But sorry
Cash only
So these houses
Aren't meant to be homes
Investment opportunities
Only for those who already have
Homes
But collect houses
So others can pay for the privilege

A home for a family
Is more than
Twice as much
Mortgage eligible
if you are

Me, I pay
\$1200/month for someone else's
House that will never be my home
If my credit score were just
a little higher
If I could just save
a few thousand
for closing

Only worthy to pay for someone else's house
\$74,400 and going