



Housing Rights **ADVOCATE**

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The Austin Tenants' Council

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Suit Results in Changes to Criminal Trespass Policy Lloyd vs. Choice Homes Inc. Settlement Has Nationwide Impact

Shannon Tealer, a public housing resident, contacted Legal Aid of Central Texas in April 2000, after a Taylor police officer inquired whether the father of her children was present in her apartment. The officer then told her that if the police saw him on the property, he would be arrested for criminal trespass and she would be evicted. Ms. Tealer wanted to find out about her right to have visitors in her apartment and the right of the Taylor Housing Authority to control those guests. The Taylor Housing Authority banned the father of Ms. Tealer's children from the property under its criminal trespass policy six years earlier. The property manager claimed he had made a derogatory comment to her while he was on the property.

The Taylor Housing Authority's ban policy did not specify the conduct for which an individual could be banned and it contained no limitations on the time period for which an individual could be banned. Nor was it based on conduct that occurred on Taylor Housing Authority property and it did not allow for any appeals process by either the banned person or the tenants. After unsuccessful efforts to resolve the matter, Ms. Tealer filed a lawsuit in federal court challenging the Taylor Housing Authority's criminal trespass ban policy. Ms. Tealer asserted that the Taylor Housing Authority's policy (1) violated her right under federal public housing regulations to reasonable accommodation of her guests, (2) violated her First Amendment right to privacy and freedom of association, (3) violated federal regulations requiring that public housing tenants have access to a grievance procedure to dispute actions by a housing authority that adversely affect a tenant's rights and (4) violated due process

ATC Cooperating Attorney Sidney Childress announced the settlement of Cedric Lloyd vs. Choice Homes Inc., a racial discrimination lawsuit filed in Travis County District Court. Cedric Lloyd is an African-American man, married with two children, a postal worker, and a veteran of the US Armed Forces. Choice Homes is a major nationwide homebuilder.

In early 1999, Lloyd visited a Choice Homes sales office in Del Valle, Texas, and inquired about purchasing a home. Lloyd and his wife were already homeowners at the time but were interested in a nicer home. Lloyd alleged that the Choice Homes' salesperson discriminated against him by not processing his "pre-qualification application." The "pre-qualification application" was a process by which Choice Homes sales staff would assist potential homebuyers with loan applications to obtain financing from third-party lenders. After several months of waiting for the Choice Homes salesperson to notify him of the status of his application for financing, Lloyd visited another homebuilder and was quickly approved for a home loan.

Lloyd originally contacted the US Department of Housing and Urban Development (HUD) in San Antonio with his complaint. HUD-San Antonio referred Lloyd to the ATC Fair Housing Program for advocacy and assistance. ATC Fair Housing Program then assisted Lloyd in filing an administrative housing discrimination complaint with HUD. Based on the merits of his complaint, ATC Fair Housing Program also referred Lloyd to ATC Cooperating Attorney Sidney Childress for legal representation. Attorney Childress subsequently filed a lawsuit in Travis County District Court on Lloyd's behalf.

In response to Lloyd's discrimination lawsuit, Choice Homes alleged that their salesperson involved had acted unprofessionally but not unlawfully. Choice Homes eventually terminated the salesperson's employment for reasons of poor sales performance.

In the discovery stage of this lawsuit, Choice Homes recognized that their company did not provide fair housing training to their employees. The amount of compensatory damages paid by Choice Homes to Cedric Lloyd is confidential under the terms of the settlement of the lawsuit. However, Lloyd insisted that Choice Homes agree to implement fair housing training for its nationwide sales staff as terms of the settlement. Choice Homes agreed to provide annual fair housing training for its sales staff. Consequently, this lawsuit will have a nationwide impact on how Choice Homes trains its employees and conducts business. ATC Cooperating Attorney Sidney Childress said, "I was very impressed with this company and its attorneys, and the way they handled this lawsuit. Choice Homes acknowledged its lack of any fair housing training, 'stepped up to the plate' so to speak, and did the right thing in settling this case. This is a good company that does good business. Its employees will now be more aware of the importance of fair housing practices."



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Texas Commission on Human Rights Welcomes New Director

The Texas Commission on Human Rights announces the appointment of J.D. (Dave) Powell as Executive Director on August 13, 2001. Mr. Powell has over 20 years of experience managing and directing organizations within the Department of Defense including: strategic planning, project management, financial and administrative oversight of multi-million dollar agencies, training, staff development, and mentoring. His most recent responsibilities before joining the Commission included serving as the Chief Executive Officer for an organization consisting of 150 military and civilian federal employees, which provided financial services to over 25,000 clients in Texas and Oklahoma. In addition, Mr. Powell's leadership experience within the Department of Defense includes extensive responsibility for equal opportunity and management of human resources.

Mr. Powell holds a Bachelors Degree in Business Administration from Middle Tennessee State University and a Masters Degree in Business Administration from Embry Riddle Aeronautical University.

The Texas Commission on Human Rights mission is to enhance the quality of life and economic well-being of the citizens of Texas by reducing discrimination in employment and housing through the administration of the Texas Commission on Human Rights Act and the Texas Fair Housing Act. In 1990, the U.S. Department of Housing and Urban Development certified the Texas Fair Housing Act as substantially equivalent to the Federal Fair Housing Act.

The Texas Commission on Human Rights is also a member of the Texas Cooperative Fair Housing Program (TCFHP), along with the Austin Tenants' Council Fair Housing Program and the San Antonio Fair Housing Council. The TCFHP is a HUD-funded partnership created to address the fair housing needs of recent immigrants along the Texas-Mexico border and persons with disabilities throughout the state. For more information, or to file an employment or housing discrimination complaint call toll free at 1-888-452-4778 or 512-371-7473 (TTY)



Criminal Trespass

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because of its lack of standards.

The parties have signed a settlement agreement under which Ms. Tealer received \$5,250 in damages, the father of her children was removed from the criminal trespass ban list and the Taylor Housing Authority agreed to significant changes in its criminal trespass ban policy. Under the revised ban policy, the Taylor Housing Authority retains the right to ban persons for limited time periods for conduct occurring on Housing Authority property. Such conduct includes the following: (1) a person causing a disturbance on Taylor Housing Authority property requiring police intervention may be banned for up to one year (2) a person convicted of a felony crime on the property may be banned for up to three years, (3) a person convicted of possession, sale or distribution of a controlled substance on the property may be banned for up to three years, (4) a person endangering the health and welfare of other tenants or Taylor Housing Authority employees may be banned for up to two years, (5) any person who assaults an employee of the Taylor Housing Authority may be banned for up to five years, (6) any person convicted of manufacturing methamphetamine on the property may be banned for life and (7) any person convicted of child molestation may be banned for life. The policy does not allow for banning an individual for conduct occurring off the property and the conduct must occur on property owned by the Taylor Housing Authority. Furthermore, the Taylor Housing Authority must review the policy every six months and remove from the list any persons determined to no longer constitute a threat to tenants or employees of the Housing Authority.

The revised policy provides an appeal procedure for any person notified that they have been banned. In addition, the policy provides that tenants may appeal the ban of any person through the Taylor Housing Authority's tenant grievance procedure. The policy also provides for temporary relief under which a banned person may receive a temporary suspension of the ban if necessary for reasons such as a death in the family, illness, or a need to assist someone in moving from the property.

Many public housing authorities in the United States have adopted criminal trespass ban policies as one way to deal with crime on their properties. Such a

policy must be carefully drafted to avoid interfering with the right of public housing tenants to have visitors and guests. In order to pass muster under federal law and the Constitution, such policies must be narrowly tailored to conduct occurring on the property in question, give adequate notice to individuals of conduct which may result in a ban, be non-discriminatory in effect, provide for time limitations and provide a method by which banned individuals and tenants may challenge bans with which they disagree.



Case Updates

ATC thanks the complainants, plaintiffs, testers, witnesses, and attorneys who have worked for fair housing by participating in litigation or pursuing administrative housing discrimination complaints with the US Dept. of HUD. In all "settled" cases reported in this newsletter the defendant, unless otherwise noted, denies the allegations of discrimination made by the plaintiff and the parties have agreed to resolve the case prior to a trial on the merits. Fair housing testing and investigations conducted by ATC's Fair Housing Program are funded by the US Department of Housing & Urban Development.

Nettle & Mulkins vs. SunnyMeade Apartments

The Law Firm of Davis & Wilkerson, P.C. recently brought a lawsuit against the Sunnymede Apartments for violations of the Texas Fair Housing Act. Ronnie Nettle & Christelle Mulkins are mobility impaired individuals, and brother and sister. In 1997, Mr. Nettle moved in with his sister Christelle, who was already living at the Sunnymede Apartments. After Mr. Nettle had settled in, he contacted Community Based Alternative, an organization dedicated to assisting disabled persons with living accommodations. Mr. Nettle requested Community Based Alternative's assistance in obtaining state aid to make modifications to his apartment in order for it to be more accessible for his wheelchair. Community Based Alternative was able to coordinate with the Texas Department of Health & Human Services and Girling

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El Acuerdo Entre Lloyd y Choice Homes Inc. Tiene Impacto a Nivel Nacional

El Abogado Sidney Childress anunció el acuerdo entre Cedric Lloyd y Choice Homes Inc., después de una demanda de discriminación por razón de raza entablado en la Corte de Distrito del Condado de Travis. Cedric Lloyd es un Africano-Americano, casado con dos niños, trabajador postal, y un veterano de las Fuerzas Armadas. Choice Homes es un contratista importante de casas a nivel nacional.

A principios de 1999, Lloyd visitó una oficina de ventas de Choice Homes en Del Valle, Texas, y preguntó sobre comprar una casa. Lloyd y su esposa ya eran dueños de una casa pero estaban interesados en una casa más agradable. Lloyd alegó que el vendedor de Choice Homes discriminó contra él por no procesar su "aplicación de pre-calificación." La "aplicación de pre-calificación" era un proceso por el cual los vendedores de Choice Homes asistirían a compradores potenciales con sus aplicaciones de préstamo para obtener el financiamiento de otras prestamistas. Después de esperar varios meses al vendedor de Choice Homes para notificarlo de su aplicación para el financiamiento, Lloyd visitó otro constructor de casas y fue aprobado rápidamente para un préstamo.

Lloyd se puso en contacto originalmente con el Departamento de Vivienda y Desarrollo Urbano de los EE.UU (HUD) en San Antonio con su queja. HUD-San Antonio refirió Lloyd al Programa de Vivienda Justa del ATC para defensa y asistencia. Entonces el Programa de Vivienda Justa asistió a Lloyd en registrar una queja administrativa de discriminación en la vivienda con HUD. De acuerdo con los méritos de su queja, el Programa de Vivienda Justa también refirió Lloyd a un abogado de su lista de referencias, Sidney Childress, para representación legal. El Abogado Childress entabló una demanda en la Corte de Distrito del Condado de Travis en nombre de Lloyd.

En respuesta a la demanda de discriminación, Choice Homes alegó que su vendedor no había actuado profesionalmente pero no fue ilegal. Finalmente Choice Homes terminó el empleo del vendedor por razones de pocas ventas.

En el proceso de esta demanda, Choice Homes reconoció que su compañía no proporcionó entrenamiento de vivienda justa a sus empleados. La cantidad de daños compensatorios pagado por Choice Homes a Cedric Lloyd es confidencial bajo términos del acuerdo de la demanda. Sin embargo, Lloyd insistió que Choice Homes acordaba proporcionar entrenamiento de vivienda justa para todos sus vendedores como términos del acuerdo; Choice Homes concordó proporcionarlo cada año. Por lo tanto, esta demanda tendrá un impacto a nivel nacional en cómo Choice Homes entrena a sus empleados y maneja su negocio. El Abogado Sidney Childress dijo, "Me impresionó mucho con esta compañía y sus abogados, y la manera en que manejaron esta demanda. Choice Homes reconoció su falta de cualquier entrenamiento de vivienda justa e hicieron la cosa derecha en concluir este caso. Ésta es una buena compañía que hace buen negocio. Sus empleados estarán más enterados ahora de la importancia de las prácticas de vivienda justa."



Casos Actualizados

ATC agradece a los querellantes, los demandantes, los probadores, los testigos, y los abogados que han trabajado para la vivienda justa por participar en pleitos o perseguir quejas administrativas de la discriminación en la vivienda con el Departamento de HUD. En todos los casos "decididos" en estas noticias, a menos que se indicare en forma diferente, el demandado niega las alegaciones de discriminación hechas por el demandante y los partidos pusieron de acuerdo de resolver el caso antes de ir a un juicio. Las pruebas e investigaciones de vivienda justa conducidas por el Programa de Vivienda Justa de ATC son financiadas por el Departamento de Vivienda y Desarrollo Urbano de los E.E.U.U.

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Una Demanda Resulta en Cambios a la Póliza de Traspaso

Shannon Tealer, una residente de vivienda pública, se puso en contacto con Ayuda Legal de Central Texas en abril de 2000, después que un oficial de policía investigó si el padre de sus niños estaba presente en su apartamento. El oficial entonces le dijo a ella que si el policía lo encontraba en la propiedad, él sería arrestado por traspasar y a ella la desalojarían. Srta. Tealer quería averiguar sobre su derecho de tener visitantes en su apartamento y el derecho de Taylor Housing Authority de controlar a esas personas.

Taylor Housing Authority prohibió la entrada al padre de los niños de Srta. Tealer hace seis años bajo su póliza prohibiendo el traspaso. El encargado de los apartamentos sostiene que él le había hecho un comentario derogatorio mientras él estaba en la propiedad.

La póliza de Taylor Housing Authority no especificó la conducta por la cual un individuo no sería permitido entrar y no contuvo ninguna limitación en el período por el cual un individuo no podrá ser aceptado. Ni se basó en la conducta que ocurrió en la propiedad de Taylor Housing Authority y no permitió ningún proceso de apelación para la persona no permitida entrar o los inquilinos. Después de esfuerzos sin éxito de resolver el problema, la Srta. Tealer entabló una demanda en la Corte Federal desafiando la póliza de Taylor Housing Authority prohibiendo el traspaso. La Srta. Tealer afirmó que la póliza de Taylor Housing Authority (1) violó su derecho bajo regulaciones federales de la vivienda pública a una acomodación razonable de sus huéspedes, (2) violó su derecho de la Primera Enmienda a la privacidad y a la libertad de la asociación, (3) violó regulaciones federales que requieren que los inquilinos de vivienda pública tienen acceso a un proceso de queja para disputar las acciones de un Housing Authority que viola los derechos de un inquilino y (4) que la póliza violó el proceso debido por la falta de reglas legales.

Los partidos han firmado un acuerdo en donde la Srta. Tealer recibió \$5.250 en daños, el padre de sus niños fue quitado

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de la lista de no aceptados por traspaso y Taylor Housing Authority concordó de hacer cambios significativos en su póliza prohibiendo el traspaso. Bajo la póliza revisada, Taylor Housing Authority conserva el derecho de prohibir a personas por períodos limitados para la conducta que ocurre en las propiedades de Housing Authority. Tal conducta incluye el siguiente: (1) una persona causando un disturbio en una propiedad de Taylor Housing Authority que requiere intervención del policía no se le dejará entrar por hasta un año, (2) una persona condenada por un delito mayor en la propiedad no se le dejará entrar por hasta tres años, (3) una persona condenada de posesión, venta o distribución de droga en la propiedad no se le dejará entrar por hasta tres años, (4) una persona poniendo en peligro la salud y bienestar de otros inquilinos o personal de Taylor Housing Authority no se le dejará entrar por hasta dos años, (5) cualquier persona quien asalte un empleado de Taylor Housing Authority no se le dejará entrar por hasta cinco años, (6) cualquier persona condenado por la fabricación de methamphetamine en la propiedad nunca se le dejará entrar y (7) cualquier persona condenada por la violación de un niño nunca se le dejará entrar. La póliza no permite prohibir a un individuo por su conducta que ocurre fuera de la propiedad; la conducta debe ocurrir en la propiedad de Taylor Housing Authority. Además, Taylor Housing Authority debe repasar la póliza cada seis meses y quitar de la lista a cualquier persona determinada a no constituir jamás una amenaza a los inquilinos o a los empleados de Housing Authority.

La póliza revisada proporciona un proceso de apelación para cualquier persona que se le ha negado la entrada a la propiedad. Además, la póliza proporciona a que los inquilinos pueden apelar la prohibición de cualquier persona a través del proceso de queja de Taylor Housing Authority. La póliza también provee alivio temporal bajo la cual una persona puede recibir una suspensión temporal en caso de necesidad por razones tales como una muerte en la familia, enfermedad, o una necesidad de asistir alguien en la mudanza desde la propiedad.

Muchas autoridades de vivienda pública en los Estados Unidos han

adoptado pólizas prohibiendo el traspaso como una forma para ocuparse del crimen en sus propiedades. Debe de escribir tal póliza cuidadosamente para evitar de interferir con el derecho de los inquilinos de vivienda pública de tener visitantes y huéspedes. Para ser aceptados bajo la ley federal y la Constitución, tales pólizas se deben referir a la conducta que ocurre en la propiedades en cuestión, dar aviso adecuado a los individuos de la conducta que puede resultar en una prohibición, no ser discriminatorios en su efecto, proporcionar limitaciones de tiempo y suministrar un método por el cual individuos no permitidos y los inquilinos pueden disputar las prohibiciones con las cuales no están de acuerdo.



Casos Actualizados

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Nettle y Mulkins vs. los Apartamentos SunnyMeade

La oficina de abogados Davis y Wilkerson, P.C. recientemente entablaron una demanda contra los Apartamentos Sunnymeade para las violaciones del Acto de Vivienda Justa de Texas. Ronnie Nettle y Christelle Mulkins son hermanos incapacitados. En 1997, el Sr. Nettle se movió con su hermana Christelle, que ya estaba viviendo en los Apartamentos Sunnymeade. Después de que el Sr. Nettle se acomodó, él habló con la Alternativa Basada en la Comunidad, una organización dedicada a asistir a personas incapacitadas con acomodaciones en su vivienda. El solicitó su ayuda en obtener financiamiento del estado para hacer modificaciones a su apartamento en la orden para que sea más accesible para su silla de ruedas. La Alternativa Basada en la Comunidad podía coordinar con el Departamento de la Salud y Servicios Humanos de Texas y con Girling Healthcare para que el financiamiento realice los cambios al apartamento. Se dice que los dueños de los Apartamentos Sunnymeade no permitieron los cambios.

Los Apartamentos Sunnymeade iniciaron una acción inmediata del desalojo contra el Sr. Nettles y la Srta. Mulkins, alegando que incumplieron con su contrato, a pesar de la solicitud de los hermanos para tiempo adicional de moverse. Nelson Mock de Ayuda Legal de Texas Central defendió la acción del

desalojo contra el Sr. Nettle y la Srta. Mulkins lo cual que fue eventualmente concluido. Sin embargo, el acuerdo dejó la opción al Sr. Nettle y la Srta. Mulkins para entablar una demanda por daños civiles como resultado de este incidente. Posteriormente, Leonard Woods y Wes Cleveland de Davis y Wilkerson, P.C. entablaron una demanda en su favor. El caso está en proceso. Leonard Woods es un abogado que participa en nuestro programa de referencias de abogados.

Rodriguez vs. Los Apartamentos Towne Oaks, et al.

Irma Rodriguez habló con el Programa de Vivienda Justa en febrero de 1999 y alegó que los Apartamentos Towne Oaks le habían negado un apartamento debido a su origen nacional. Rodriguez, una hispana, fue a los Apartamentos Towne Oaks en Austin y preguntó sobre apartamentos de una recámara y un baño. La encargada, Frances McAfee, dijo a Rodriguez que no tenían apartamentos de una recámara y un baño disponibles, mientras ella dijo a un compañero de trabajo de Rodriguez que sí tenían apartamentos así disponibles.

El Programa de Vivienda Justa de ATC ayudó a Rodriguez para registrar una queja administrativa de discriminación en la vivienda con HUD lo cual refirió la queja a la Comisión de Derechos Humanos de Austin para la investigación. El Programa de Vivienda Justa sirvió como defensor de Rodriguez durante la investigación. Después de conducir una investigación de los hechos, la Comisión de Derechos Humanos de Austin determinó que existe "causa razonable" para creer que la discriminación en la vivienda ocurrió y en junio de 2000 publicó una carga de discriminación en la vivienda contra la encargada, McAfee, y el dueño de los Apartamentos Towne Oaks, Rudy Belton de Belco Equities. Después de la emisión de esta carga, Abogada para la Ciudad de Austin Robin Sanders entabló una demanda en la Corte de Distrito en nombre de Rodriguez y de la ciudad de Austin contra la encargada y el dueño de los Apartamentos Towne Oaks. Antes de ir al juicio, la abogada Sanders los representó a Rodriguez y a la ciudad de Austin en una mediación con los demandados y negoció un acuerdo para los demandantes que incluye el pago de daños compensatorios. Los términos del acuerdo no son revelados.



Case Updates

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Healthcare for funding to make the changes to the apartment. It was reported that the owners of Sunnymeade Apartments did not permit the changes.

Sunnymeade Apartments subsequently initiated an immediate eviction action against both Mr. Nettle and Ms. Mulkins, allegedly for violations of their lease terms, despite Mr. Nettle's and Ms. Mulkins's request for additional time to relocate. Nelson Mock of Legal Aid of Central Texas defended the eviction action against Mr. Nettle and Ms. Mulkins, and eventually settled the eviction action. However, the settlement left open the option for Mr. Nettle and Ms. Mulkins to bring suit for civil damages as a result of this incident. Subsequently, Leonard Woods and Wes Cleveland of Davis & Wilkerson, P.C. filed a lawsuit on their behalf. The case is in pretrial discovery at the present time. Leonard Woods is a participant in ATC's Cooperating Attorney Program.

Judy Behn vs. Travis County Housing Authority

ATC announces a Conciliation and Voluntary Compliance Agreement between the Department of Housing and Urban Development and Judy Behn, a person with a disability, and the Travis County Housing Authority (TCHA). In early October 1999, Judy Behn came to ATC for help with a request for reasonable accommodation due to her disability, because she had received a 15-day Notice of Transfer from the housing authority, which stated that refusal to move could initiate lease termination. Ms. Behn was a resident of Alexander Oaks, which is operated by TCHA.

Ms. Behn suffers from Bipolar Disorder with manic depression, with an inability to handle constant noise and stimulation. Ms. Behn's physicians recommended that "she not be forced to move at that time, as the move would be destabilizing to her mood disorder, that her current location allows her to be away from the noise and stimulation of a busy neighborhood, and that this is an important consideration for her, due to her disorder." Ms. Behn's apartment was located on a quiet cul-de-sac and she alleged the new location would place her in the heart of the community, surrounded by noise and activity.

In October, ATC assisted Ms. Behn in submitting a formal Request for Reasonable Accommodation due to her disability to the housing authority, which asked not to transfer her at that time. The letter also stated she was prepared to provide additional documentation, if necessary, to support her request. She provided an additional letter from her physician, which stated, "Not subjecting her to a move to a new residence would be in the best interest of her mental health." Ms. Behn's request was not responded to in writing until December 3, 1999 when her request was denied, however the housing authority offered to issue a new 15-day notice with an additional 1-week overlap. On December 13, 1999, a representative of the housing authority hand delivered a new notice of transfer for Ms. Behn to move by January 14, 2000. Ms. Behn alleged that the representative told her she was not entitled to a hearing and if she did not sign a new lease they would start eviction proceedings.

Ms. Behn submitted a written request for a grievance hearing to TCHA on December 27, 1999 and ATC assisted Ms. Behn in filing an administrative complaint with HUD under the Fair Housing Act and Section 504 of the Rehabilitation Act of 1973 on January 11, 2000.

In August 2001, HUD announced that a satisfactory resolution had been reached on the issues of the complaint. The Respondent (Travis County Housing Authority) agreed to waive the Complainant's back rent due (\$1,901.00) and pay the Complainant a lump sum payment of \$1,099.00 for a total net value of \$3,000.00. Respondents further agreed to train and communicate the provisions of the agreement to all employees and agents

who have any responsibilities or duties related to the provisions of the agreement and provide certification to HUD signed by the Executive Director within 45 days that the actions have been taken.

The parties acknowledge that the agreement is voluntary. The Respondent denies any violation of the law and understands that the agreement does not constitute an admission by the Respondents or evidence of a determination by HUD of any violation of the Fair Housing Act or any other law.

Rodriguez vs. Towne Oaks Apartments, et al.

Irma Rodriguez contacted the ATC Fair Housing Program in February 1999 and alleged Towne Oaks Apartments had denied her an apartment because of her national origin. Rodriguez, who is Hispanic, visited Towne Oaks Apartments in Austin and inquired about the availability of one bedroom-one bath apartments. Towne Oaks manager Frances McAfee told Rodriguez there were no one bedroom-one bath apartments available while she told a co-worker of Rodriguez's there was an available one bedroom-one bath apartment.

ATC Fair Housing Program assisted Rodriguez in filing an administrative housing discrimination complaint with HUD who then referred Rodriguez's complaint to the City of Austin Human Rights Commission for investigation. The Fair Housing Program served as Rodriguez's advocate during the investigation of her complaint. After conducting an investigation into the facts, the City of Austin Human Rights Commission found there is "reasonable cause" to believe housing discrimination occurred and in June 2000 issued a charge of housing discrimination against the manager, McAfee, and the owner of Towne Oaks Apartments, Rudy Belton of Belco Equities. After issuance of this charge, City of Austin Attorney Robin Sanders filed a lawsuit in U.S. District Court on behalf of Rodriguez and the City of Austin against the manager and owner of Towne Oaks Apartments. Before going to trial, City Attorney Sanders represented Rodriguez and the City of Austin in mediation sessions with the defendants and negotiated settlements for the plaintiffs that include the payment of compensatory damages. The terms of the settlements are undisclosed.

Free Fair Housing Training

ATC and other cooperating agencies are sponsoring a training on Monday, December 7 that will help your disabled clients with their housing problems. It will be held at the Carver Library, 1161 Angelina Street, from 10:00 am - 2:30 pm. **Lunch is included** and registration is free. **RSVP by 12/3/01** to Dolores.Gonzalez@ci.austin.tx.us or call (512) 974-3256.



Programs and Services/*Programas y Servicios*

FAIR HOUSING VIVIENDA JUSTA

THE FAIR HOUSING PROGRAM / EL PROGRAMA DE VIVIENDA JUSTA - This program helps any person in the Austin metropolitan area who has been discriminated against in the rental, sale, financing or appraisal of housing. FHP investigates complaints and coordinates legal services to assist victims of discrimination when their rights under State and Federal fair housing laws have been violated. *Este programa ayuda a cualquier persona en el area metropolitana de Austin quien se ha enfrentado con discriminación en la renta, compra, financiamiento, o evaluación de vivienda. El FHP investiga las quejas y coordina servicios legales para las victimas de discriminación cuando sus derechos están violados bajo las leyes estatales y federales de vivienda justa. Call / llame al 474-7007.*

TENANT-LANDLORD INQUILINO-PROPIETARIO

TELEPHONE COUNSELING / CONSEJOS POR TELEFONO - Trained counselors answer tenant-landlord questions and make appropriate referrals. However, ATC offers no legal advice. *Consejeros contestan preguntas acerca de inquilinos-propietarios y hacen referencias necesarias. Sin embargo, ATC no ofrece consejo legal. Call / llame al 474-1961.*

IN-HOUSE COUNSELING / CONSEJOS EN LA OFICINA - Counseling information and materials are provided to clients in need of more in-depth assistance. *Se provee información y materiales a los clientes que necesitan mayor información. Call for an appointment / llame para una cita a 474-7006.*

CRISIS INTERVENTION / INTERVENCION CRISIS - Counselors mediate on behalf of tenants to resolve emergencies that threaten their housing. *Consejeros median en nombre del inquilino a resolver una emergencia que amenaza su vivienda. Call / llame al 474-1961.*

RENTAL REPAIR ASSISTANCE / AYUDA CON REPARACIONES DE ALQUILER - The Renters' Rights Assistance Program helps low-income renters enforce their rights for repairs through advocacy and mediation. *El Programa de Asistencia con los Derechos de Inquilinos ayuda a los inquilinos de bajo ingreso da fuerza a sus derechos para reparaciones por medio de negociación y mediación. Call / llame al 474-7006.*

LEASE FORMS / CONTRATOS - ATC provides lease packets and brochures describing landlord and tenant rights and responsibilities to landlords for a small fee. *ATC vende paquetes de contratos y folletos, por una cuota nominal, describiendo los derechos y las responsabilidades del propietario y del inquilino. Call for more information / llame para mayor información a 474-7006.*

Austin Tenants' Council Staff

Patrick Banis Fair Housing Testing Coordinator I
Mary Daniels Dulan Fair Housing Activities Coordinator
Nathan Fish Program Specialist I
Cindi Garcia Fair Housing Specialist
Cruz Garcia Housing Specialist
Chris Garza Program Specialist II
Paul Leddy Fair Housing Testing Coordinator II
Lucia Peres-Salinas Intake Specialist
Sam Persley Program Specialist III
Bruce Rodenborn Program Development Specialist
Jennifer Scott Housing Specialist
Katherine Stark Executive Director



Housing Rights Advocate
Austin Tenants' Council
1619 E. Cesar Chavez St.
Austin, Texas 78702

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