

# Metro Detroit Fair Housing News



An e-newsletter brought to you by the Fair Housing Center of Metropolitan Detroit

(Spring 2019)

## Top stories



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## Detroit's Fair Chance Ordinance



Detroit is one of the first cities in the nation to adopt a housing ordinance to assist those with a criminal past to obtain housing, thus facilitating their re-entry into society. The "[Fair Chance Access to Rental Housing](#)", commonly referred to as the fair chance ordinance, was introduced by Councilwoman Janee Ayers and passed unanimously by Detroit City Council. The ordinance bars most city landlords from considering conviction history until independently determining whether the applicant is otherwise qualified apart from conviction history. The ordinance specifies the kinds of convictions that may disqualify such an applicant from renting and sets forth the kind of evidence of rehabilitation or mitigating factors that an applicant may provide.

We look forward to working with the Detroit's Department of Civil Rights, Inclusion and Opportunity in implementing this ordinance.

## Criminal Records & Fair Housing



Housing providers outside Detroit should be just as cautious in using criminal records in making rental decisions. HUD's Office of General Counsel, on April 4, 2016, issued [Guidance on Application of the Fair Housing Act Standards to the Use of Criminal Records by Providers of Housing and Real Estate-Related Transactions](#). All housing providers should carefully review this guidance. Recent federal court decisions have followed the OGC's guidance in determining liability under the Fair Housing Act. The bottom line is that a flat bar on renting to applicants with a criminal record—without distinguishing applicants whose past criminal record and recent conduct shows a current risk to resident safety or property from applicants presenting no such risk—may constitute disparate impact discrimination.

## Enforcement Updates



We continue to see fair housing violations in our Wayne, Oakland and Macomb County service area. One current case involves an elderly complainant who was denied housing in a 55 and older community due to convictions dating back 35 years. After being released from prison, he obtained a degree from Wayne State in criminal justice and then worked for the State of Michigan. Another case involves the eviction of multiple tenants in substance abuse recovery program. New ownership and management wanted different demographics. We are also assisting a group of domestic violence victims who were denied housing. These women have been twice victimized.

Proper training can prevent most, if not all, fair housing violations. There is no conflict between fair housing compliance and best practices in sales, rental and management of residential property. In the last two months alone, we trained a host of municipal employees, real estate agents, 55 and older housing providers, and many others. We consider our fair housing expertise second to none. Our training lets your staff ask questions and get the right answers.

## Fair Housing Training



As mentioned in our prior newsletter, our office is co-sponsoring a full day of technical training on the [Fair Housing Act's design & construction requirements](#). This training will take place on May 29, 2019, at the Federal Reserve's Detroit Conference Center, 1600 East Warren Ave., Detroit, MI 48207. The training will be provided by LCM Architects, based in Chicago. This training is most applicable to architects, designers, civil engineers, landscape architects, contractors, developers, builders and enforcement officials, though all are welcome to attend.

Those who attended a prior FIRST training session can attest to the quality of this training. Due to a generous HUD grant, this training is free of charge. This office and other sponsors will provide a hot lunch. Please register [here](#) or contact our office to register for the training.

## Fair Housing Center of Metropolitan Detroit

220 Bagley | Suite 1020  
Detroit MI | 48226  
(313) 963-1274  
[info@fairhousingdetroit.org](mailto:info@fairhousingdetroit.org)