

ANNUAL REPORT 2019



High Plains
Fair Housing Center

HIGH PLAINS FAIR HOUSING CENTER

*...to strengthen communities and to ensure
equal access to fair housing in the region
through training, education, enforcement,
and advocacy.*

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A MESSAGE FROM HIGH PLAINS FAIR HOUSING CENTER IN THE TIME OF COVID-19

“Where you live matters” is one of the most common phrases heard in fair housing trainings across the country in any given year. As we compile our annual report in the first quarter of 2020, that phrase has never felt more meaningful. Our state is currently in the middle of a worldwide pandemic, and we are suddenly required to work, attend school, worship, and connect to the outside world within the confines of our homes. The walls of our home have become our best defense in a war on an invisible enemy, and the concept of “home” as a “sanctuary” has never been more relevant.

High Plains Fair Housing Center has been committed to ensuring equal access to housing in North Dakota regardless of your race, color, national origin, religion, sex, disability status, familial status, or because you receive public assistance. Being blocked from housing due to an innate characteristic or because of someone’s perception of who you are also means being blocked from your chosen community. Where you live determines your access to healthcare, education, employment, and transportation. Home is the foundation for everything in our lives, and having access to stable, safe, and accessible housing is how we keep our communities and economy strong.

In this era of Covid-19, it is especially important to fight for housing rights of North Dakotans. It is important to help someone file a complaint against someone blocking access to their housing or harassing them because of their national origin or race. It is crucial to advocate for the tenant whose mental or physical disability is exacerbated by a Covid-19 infection or concerns of a community spread infection. It is necessary to advocate for the newly unemployed to have time to access public assistance so they do not lose their housing as they navigate life with a sudden income loss. High Plains Fair Housing Center launched a campaign in the middle of 2019 to end sexual harassment in housing. It is important to protect North Dakotans who may feel they should not speak up about unscrupulous housing practices in fear of losing their housing or feel it is necessary to succumb to quid pro quo requests in order to keep their housing. Families in North Dakota are especially reliant on secure housing as they are being asked to work and school in the same environment while facing financial uncertainty. Children in North Dakota everywhere are feeling insecure about what is currently happening because of this pandemic and should not have to worry about losing or being denied housing.

It has been our honor to fight for fair housing rights for North Dakotans since we were founded in 2013. It is especially humbling this year as we work with amazing community partners to make sure North Dakota remains committed to available, secure, and accessible housing free from discrimination. Where you live matters. Let’s continue to work to make housing in North Dakota matter for us all.

MESSAGE FROM THE EXECUTIVE DIRECTOR



In 2019, High Plains saw another exciting year as our organization continued to grow and expand. In July, we opened an office in Bismarck with one full-time and one part-time staff person. The Bismarck office allows us to reach the western part of the state through testing, enforcement, outreach and importantly advocacy- assisting victims of discrimination. This year we filed more cases than we ever have, including several based on testing evidence. We successfully resolved several actions filed in previous years to stop identified allegations. Importantly, we resolved over 37 fair housing inquires through our mediation program. Although our Advocacy and Enforcement program is our most important work, this year we expanded our Education and Outreach Program with additional funding from HUD. This increase included the number and type of fair housing education and outreach programs offered, including more technical training events and creating a fair housing task force that reaches across the state of North Dakota and covers all of the protected classes.

While nationwide we saw some setbacks in relation to fair housing choice, I believe that this 52nd anniversary of the Fair Housing Act offers us an important opportunity to reflect on where we are, to double down on our efforts for discrimination-free housing in North Dakota. Thank you for your support of Fair Housing!

Michelle Rydz
Executive Director

MESSAGE FROM THE BOARD PRESIDENT



High Plains Fair Housing Center (HPFHC) has seen some changes this past year while continuing to support and help people in North Dakota with housing discrimination issues. We have welcomed new staff and bid farewell to other staff who have moved onto academic or other vocational opportunities. We have also expanded our capacity by adding an outreach office in Bismarck to increase our presence and ability to provide services.

Staff members have assisted individuals to resolve fair housing issues by assisting in negotiating resolutions or filing complaints and navigating the complaint process. HPFHC has also continued to expand their testing program to increase compliance with the Fair Housing Act. The staff members and director of HPFHC have provided trainings to people all across the state, helping to inform people from the protected classes and to educate landlords, attorneys, real estate agents and other individuals in the housing industry to better understand their rights and obligations to improve housing options for people.

As HPFHC continues to grow and change, the staff and board bring enthusiasm and professionalism to allow the organization to meet the needs of our constituents. We prepare for and look forward to next year's challenges.

Thank you to everyone who is and has been a part of the HPFHC organization for all your hard work and congratulations on your accomplishments.

Corey Birkholz
Board President

ABOUT HIGH PLAINS FAIR HOUSING CENTER

The mission of the High Plains Fair Housing Center is to strengthen communities and to ensure equal access to fair housing in the region through training, education, enforcement, and advocacy. Fair housing is a right protected by federal and state laws. Fair housing means you may freely choose a place to live without regard to your race, color, religion, sex, national origin, disability, or presence of children in your family. North Dakota further prevents discrimination because of your age (over 40), marital status, or because you are on public assistance.



Photo Credit: Bernard Kleina Photography

OUR PROGRAMS

ADVOCACY: We assist people across North Dakota who are experiencing discrimination in their housing transactions or living environments. Our intake specialists work directly with clients to obtain the housing they need or remedy the situation they are already in through landlord mediation or by assisting them through the administrative complaint process.

EDUCATION: We provide fair housing education and outreach to housing consumers, housing industry groups, and local governments. This work includes conducting presentations and trainings, producing and distributing fair housing materials, participating in panel discussions, and being a resource for housing discrimination questions. We also partner with agencies and organizations across the state to promote fair housing policies and practices in North Dakota.

ENFORCEMENT: We investigate situations where housing discrimination may have occurred through our testing program. Discrimination found through our testing program can be used to assist clients in their housing discrimination complaints or used in an organizational complaint with the goal to end discriminatory practices in the state.

2019 AT A GLANCE

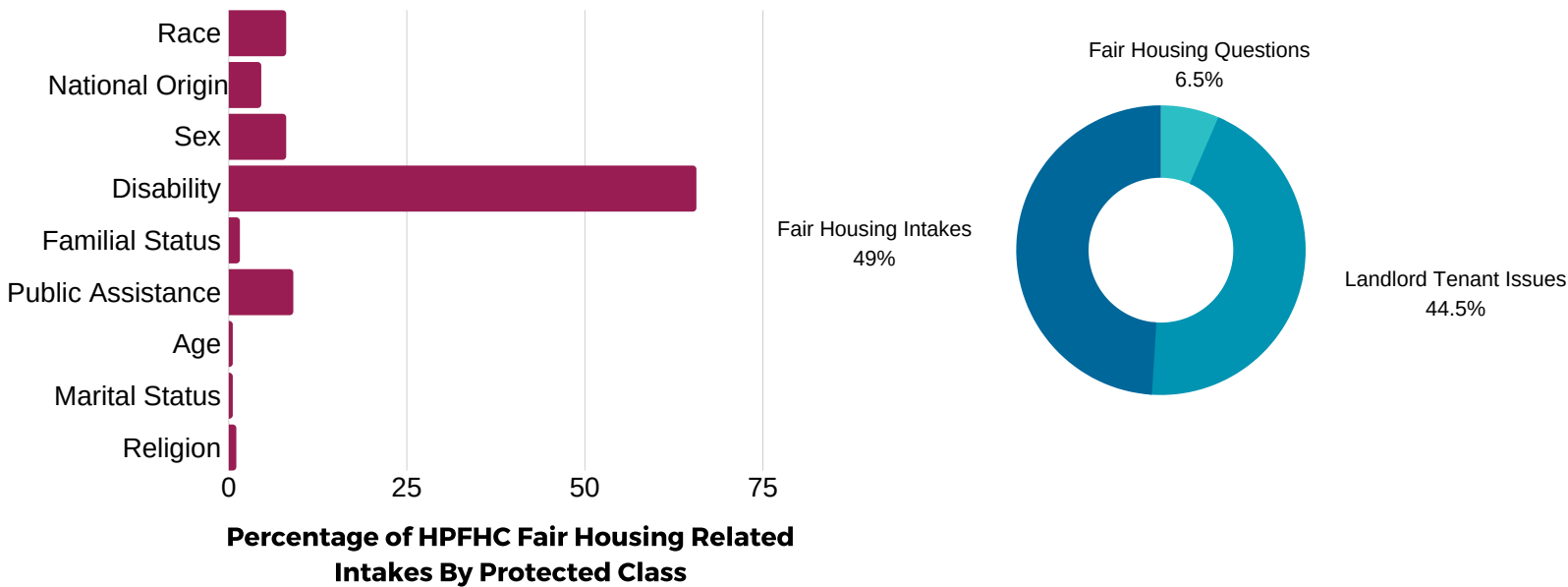
INTAKES

High Plains FHC 2019 Total Intakes: 368

Fair Housing Issues from Intakes: 180

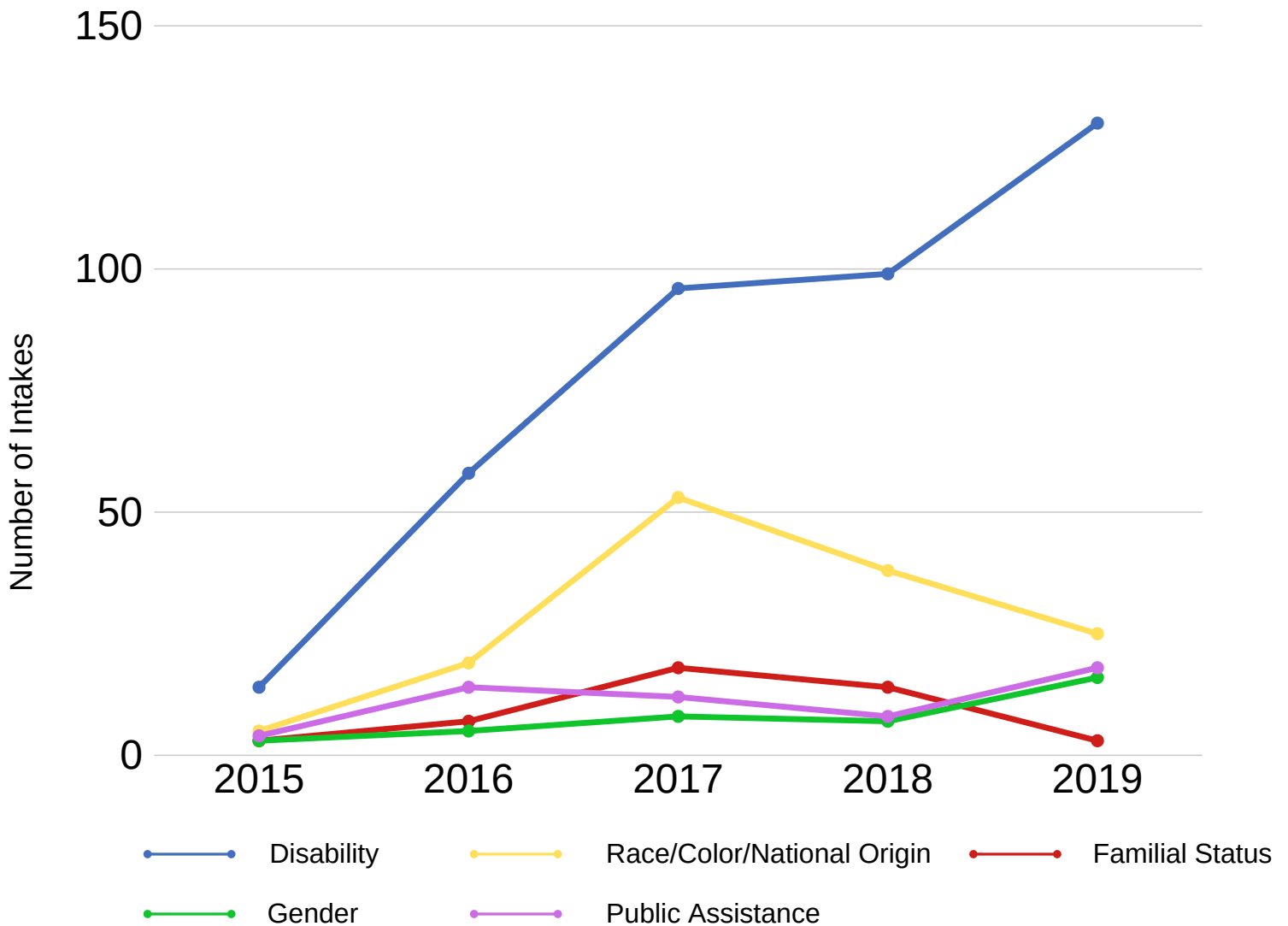
General Fair Housing Questions: 24

Non-Fair Housing Landlord/Tenant Issues: 164



High Plains FHC saw a 36% increase in fair housing intakes over the last year. This year 65% of the intakes were for people with disabilities. High Plains assisted in 37 reasonable accommodations/modifications being granted to clients.

Annual Number of Intakes by Protected Class



High Plains Fair Housing Center has increased its education and outreach efforts over the last few years. As more people know about fair housing, more people exercise their rights.

Advocacy: Mediation Stories

High Plains FHC works to end housing discrimination and ensure equal access to housing through our advocacy and enforcement programs. We can assist clients with formal complaints or through mediation. We use testing evidence to assist in client cases and in our own organizational complaints to discover systemic discrimination in housing. Our testing evidence is used in organizational complaints with the goal to end systemic discriminatory policies and practices. Funds HPFHC receives from conciliated cases are used to educate people across North Dakota about their fair housing rights, assist clients with their cases, and end discrimination in housing. Where you live matters. Your access to and enjoyment of housing should not be based on your race, color, religion, national origin, sex, disability status, age (over 40), marital status, receipt of public assistance, or on the presence of children in the home.

HPFHC Case NO 19-1123: HPFHC worked with a woman in Grand Forks who lived in a top floor unit. Her doctor suggested she avoid stairs and move to a ground floor unit. HPFHC helped her write a reasonable accommodations request. Because no ground floor unit was available at the time, she was granted early termination of her lease without penalty.

HPFHC Case NO 19-1172: A client contacted HPFHC about her building having a rodent infestation that is creating health problems that exacerbate her disability. Her unit was also not conducive to wheelchair use. HPFHC assisted in asking for a reasonable accommodation, and she was able to exit her lease without penalty.

HPFHC Case NO 19-1310: HPFHC was contacted by a client whose property management was pumping sump pump water directly into the client's parking space. The water was freezing and causing a fall hazard. The client has a disability and uses a cane to walk. HPFHC informed the client of their rights under the Fair Housing Act. They spoke with their management company, who promptly fixed the issue.

HPFHC Case NO 19-1243: A client had made arrangements with his property management to move out to be closer to medical specialists. A new company took over management of his building and told him he would need to give 30 more days of notice before moving out. HPFHC advocated for him, and he was able to exit his lease on the previously agreed upon terms.

HPFHC Case NO 19-1112: A client contacted HPFHC for assistance in a reasonable accommodation request to move to a 2 bedroom unit due to the need for a live-in caregiver after having multiple surgeries. She was able to get the necessary documentation, and her request was granted.

HPFHC Case No. 19-1052: HPFHC advocated for a man who had a recent amputation and had arranged to have a ramp put into his rental unit. When he arrived home from the hospital, the ramp was not installed, creating significant barriers in his mobility. Through mediation efforts, his reasonable modification was granted and the ramp was installed.

HPFHC Case No. 19-1265: HPFHC was contacted to assist a client who was having a mental health crisis. He needed to immediately move to be closer to family and supportive services. HPFHC was able to advocate for him to exit his lease early without penalty.

2019 AT A GLANCE

ENFORCEMENT PROGRAM

Our investigation team works to assist clients in gathering information and evidence for their complaints and investigates housing providers who may be illegally discriminating in North Dakota. Complaint based testing works to re-create the situation a person is experiencing to discover if illegal discrimination is motivating the situation. Systemic testing works to eliminate discriminatory policies and practices and often results in HPFHC filing an organizational complaint with the goal to end discriminatory practices that are occurring against entire protected classes. We are on year three of a three year grant that allows us to conduct intake, testing, investigation, and litigation of fair housing complaints under the Fair Housing Act. We found that nearly half of our investigations supported partial or full allegations of discrimination.

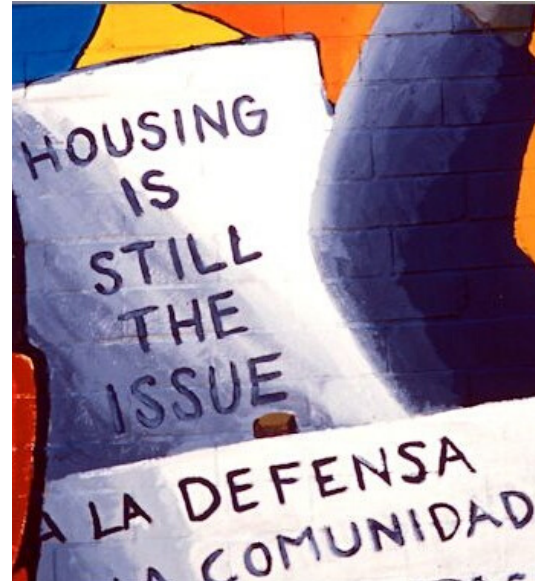


Photo Credit: Bernard Kleina Photography

"It is frequently difficult to develop proof in discrimination cases and the evidence provided by testers is frequently valuable, if not indispensable."
-Richardson v. Howard, 712 F.2d 319, 321 (7th Cir. 1983).

High Plains FHC 2019 Investigations

Clients assisted through investigations: 68

Fair Housing Test Parts: 131

New Testers Trained: 15

ND Locations Testing Occurred: 14

Advocacy: Filed Cases Stories

HPFHC Case No. 19-1050 and ND 19-11-060: A client contacted HPFHC after the property management at an apartment he wanted told him they do not accept housing assistance. Testing evidence confirmed that the company has a policy not to accept housing assistance. HPFHC helped the client file a complaint with the NDDOLHR. The case was conciliated with no admission of guilt. The client received \$2,640. As part of the conciliation, the company also had to send its staff to fair housing training.

HPFHC Case No. 18-928, ND 19-10-051, and HUD 08-19-9232-8: HPFHC was contacted to assist a client who was given an eviction notice a few days after moving into an apartment. A neighbor claimed that the tenant had damaged the wall. The landlord tried to confront the client and said she was not responding in a proper manner. The eviction note referred to the language barrier as the reason for the eviction. The case was conciliated with the NDDOLHR with no admission of guilt. The client was allowed early termination of her lease, a transfer of her voucher, and was not charged for the damage to the wall.

HPFHC Case No. 19-1025, ND 19-08-028, and HUD 08-19-9132-8: A client contacted HPFHC after her property management told her she must sign a pet policy for her assistance animal that requires renter's insurance, among other things. The client was told she would be evicted if she did not sign. HPFHC assisted with her complaint to the NDDOLHR. It was conciliated without admission of guilt. The client received \$10,000, and the company was ordered to undergo fair housing training.

HPFHC Case No. 1135/1303, ND 20-01-005/20-03-016, and HUD 08-19-9844-8/08-19-0105-8: A client contacted HPFHC after her landlord told her that because she has an assistance animal, she would have to pay to replace the carpets upon leaving, notify the landlord when she transports the animal in and out of the building, and cover the animal during transportation. HPFHC assisted the client in filing a complaint with the NDDOLHR. During this process, the client's roommate also filed a complaint against the landlord. The case was conciliated with no admission of guilt. The clients each received \$1800, their full security deposit, a neutral reference, and early termination of their lease without penalty.

HPFHC Case No. 569, Section 504 08-18-7029-4 and 08-18-5412-8 : HPFHC was contacted by a client who lives in federally funded housing and was denied multiple reasonable accommodations for her disabilities. HPFHC helped her file a complaint with the NDDOLHR in 2017. The NDDOLHR did not deem her case discriminatory. HPFHC pushed back, and HUD opened a Section 504 complaint. The client received \$20,000 plus a reinstatement of her housing voucher that she had lost due to the discrimination.

HPFHC Case No. 18-902, ND 19-07-023, HUD 08-19-8852-8 HPFHC worked with a client who has mobility impairments. He was no longer able to lift his legs to get into his bathtub, and his 20 year old carpet and flooring transitions caused him to trip. His property manager denied his reasonable modification requests for laminate flooring and a walk-in or roll-in shower, citing financial hardships at that property. HPFHC assisted the client in filing a case with the NDDOLHR, but HUD also became involved because the company receives federal funding that is meant to offset the costs of modifications. The case was conciliated with no admission of guilt. The company provided the needed flooring and a roll-in, ADA complaint shower at their cost.



2019 AT A GLANCE

EDUCATION & OUTREACH

In addition to other grants, High Plains FHC continued its work through an Education and Outreach Initiative Grant from the U.S. Department of Housing and Urban Development. The grant allows High Plains FHC to educate the public and housing providers about equal opportunity in housing and compliance with fair housing laws. Outreach in 2019 included:

- tenant training
- property manager and owner training
- advocacy organization staff training
- presentations in university classes
- government presentations
- booth events
- outreach in libraries across the state
- fair housing conference in Bismarck
- press releases
- radio and TV interviews
- web media platforms



High Plains FHC 2019 Outreach:

Fair Housing Classes/Trainings: **40**

Recipients of Fair Housing Training: **761 (+106)**

People Reached Through Outreach Events: **1,184**

Materials Distributed: **12,173 (+5,627)**

Website Views: **8,155**

Total Facebook Followers: **659**

Newsletter Recipient List: **1,513 (+339)**



Office of the Mayor
CITY OF JAMESTOWN
NORTH DAKOTA

Proclamation

WHEREAS, April 11, 2019, marks the 51st anniversary of the passage of the U.S. Fair Housing Law, Title VIII of the Civil Rights Act of 1968, as amended, which enunciated a national policy of Fair Housing without regard to race, color, religion, national origin, sex, familial status, or disabilities and encourages fair housing opportunities for all citizens; and

WHEREAS, High Plains Fair Housing Center is engaged in passionately pursuing its mission to eliminate housing discrimination in North Dakota; and

WHEREAS, High Plains Fair Housing Center is committed to continuing to address housing discrimination in our community; and

WHEREAS, April is traditionally designated as FAIR HOUSING MONTH by the President of the United States and by the U.S. Department of Housing and Urban Development;

NOW, THEREFORE, I, Dwaine Heinrich, Mayor of Jamestown, North Dakota, do hereby urge all citizens to understand and exercise their right to equal housing opportunity, and proclaim **APRIL 2019 AS FAIR HOUSING MONTH.**

IN WITNESS THEREOF, I have hereto set my hand and caused to be affixed the official seal of the City of Jamestown, North Dakota, on this 19th day of March, 2019.

Dwaine Heinrich
Dwaine Heinrich, Mayor



FAIR HOUSING MONTH

The Fair Housing Act was first passed in April of 1968, shortly after the assassination of Dr. Martin Luther King, Jr. It prohibited discrimination based on race, color, religion, and national origin. Sex discrimination was added in 1974, and people with disabilities and families with children were added to the 1988 amendments.

April is Fair Housing Month, a time when people across the nation commemorate the passing of the Fair Housing Act. High Plains FHC celebrated the month with 7 educational opportunities across the state that trained 226 people in fair housing laws.

THE LEGACY OF MARTIN LUTHER KING, JR.



Congratulations to High Plains Fair Housing Center's Executive Director, Michelle Rydz, for winning UND's "The Dream in Action" award! The award recognizes community members whose work creates and inspires social change.

2019 SUPPORTERS THANK YOU

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 Grand Forks Apartment Assoc.
 ND Bar Foundation
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 HB Sound and Light
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 Lutheran Social Services of North Dakota
 Money Follows the Person
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Partners (con't)

ND Econ. and Prosperity Alliance (NDESPA)
 North Dakota Human Rights Coalition
 Options for Independent Living
 Prairie Harvest Mental Health
 Protection and Advocacy
 Sacred Pipe Resource Center
 SENDCA
 St. Joseph's Social Care
 The Human Family
 Tri-State Transgender
 Turtle Mountain Band of the Chippewa
 University of North Dakota -School of Law

2019 FINANCIALS

REVENUES AND SUPPORT:

Contributions and Grants	\$393,531.98
Program Services	11,103.65
Other Revenue	12,341.84
TOTAL REVENUE	416,977.47

EXPENSES:

Salaries, Compensation, Benefits	254,453.89
Other Program	134,050.19
Expenses	388,504.08
REVENUE LESS EXPENSES	28,473.39



A special thank you to the Otto Bremer Foundation for their support in the production of this report.