



Opening Acts

A Publication of the Fair Housing Justice Center Inc.

\$925,000 Settlement in Case Involving Discriminatory Residency Preference

On August 28, 2009 a federal judge approved the settlement of a class action housing discrimination case brought against the Town of Smithtown in Suffolk County, New York by African American and Latino applicants for rent assistance vouchers. The plaintiffs alleged that the Long Island Town of Smithtown, which is approximately 95% white, had illegally discriminated by applying a residency preference and engaging in other practices that discriminated against applicants for federally funded Section 8 vouchers on the basis of race and national origin. These practices resulted in more than 90% of the Town's vouchers being allocated to white applicants, even though 60% of the waiting list was comprised of non-white applicants as of 2006.

The 10-year order requires Smithtown to 1) restore class members to their original place on the Town's 2002 and 2006 waiting lists, 2) provide housing vouchers as they become available to each eligible class member, and 3) implement new policies for the future operation of the Town's Section 8 program. In addition, Smithtown has created a \$925,000 compensation fund for class members that includes \$200,000 for attorney's fees and costs. Fair Housing Justice Center staff and student interns investigated Smithtown's housing voucher program in response to a complaint from an African American family who had been homeless and was moved to the bottom of the 2002 wait list because they did not live in Smithtown. The plaintiffs were represented by the national Lawyers Committee for Civil Rights Under Law and several pro bono attorneys.

Diane L. Houk, FHJC's Executive Director, stated "We hope this consent order will serve as an example to other suburban governments in the New York region that continue to illegally restrict access to housing opportunities and maintain residential segregation." She added, "We must not allow federal tax dollars to be used to support communities that refuse to comply with fair housing laws or fail in their legal duty to affirmatively further fair housing."

Lawsuit Brought By Deaf Tenant Settled

A federal judge approved the settlement of a disability discrimination lawsuit filed by a tenant alleging that a Brooklyn landlord refused to rent to him because he is deaf. The tenant was being assisted in his apartment search by Housing Works, an AIDS and homeless service organization based in New York City, when he was denied housing. FHJC conducted a testing investigation which confirmed the tenant's allegations and obtained pro bono counsel for the tenant from Freidman Kaplan Seiler & Adelman LLP. The settlement includes \$7,500 in damages and injunctive relief.

Monday, August 31, 2009

FHJC e-News

To better serve our members and supporters (and the planet), the Fair Housing Justice Center (FHJC) will begin to publish and distribute its "Opening Acts" newsletter as a paperless email publication.



The FHJC held its 1st Annual Acting for Justice Awards Ceremony & Reception on June 4, 2009. Pictured above (from left to right) are FHJC Board Secretary Miriam Kurien, Guest Emcee Je Yon Jung, FHJC Executive Director Diane L. Houk, and FHJC President Bernhard Blythe.

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