

NO PLACE LIKE MI HOME

2023 - 2024 Fair Housing Report



SPECIAL THANK YOU:

The Michigan Department of Civil Rights would like to thank our fair housing and legal services partners from around the state. Your efforts to drive attendance to the hearings and help craft solutions made this report possible. We also thank every person who attended a hearing and provided personal testimony regarding their experiences. Finally, we thank each of the subject matter experts who spoke at the hearings or the Summit. The expertise you brought to the initiative led to practical policy recommendations that can move fair housing forward in Michigan.

September 6, 2024

To the People of Michigan:

As you know, where a person lives is often the cornerstone of their life. Factors such as quality of education, lifespan, health, and career opportunities can all be influenced by zip code. For this reason, housing discrimination can have devastating consequences beyond the affected generation. That is why last fall I announced that our Commission and Department would embark on a series of fair housing hearings to listen to public testimony about discrimination and bias in housing.

Since that time, we held four fair housing hearings in different locations around the state. Beginning with Detroit in November 2023, our tour continued with a virtual hearing in February, and in-person hearings in Flint and Grand Rapids in the following months. In total we collected more than eight hours of testimony across a wide variety of subjects. All hearings are currently available on our YouTube channel @micivilrights.

Following these hearings, we also held the Michigan Civil Rights Summit on Fair Housing in Detroit on June 12. This event presented an opportunity to assemble 300 people from a variety of backgrounds, including civil rights groups, fair housing organizations, mortgage/finance companies, real estate professionals, appraisers, and public servants from all levels of government. Together these groups discussed several topics related to fair housing and created a series of potential policy recommendations for moving fair housing forward. The Summit was recorded and is available on our YouTube channel @micivilrights.

These five events were collectively known as the 2024 Michigan Civil Rights Fair Housing Initiative. The purpose of this document is to summarize the hearings testimony and Summit discussion, with a special focus on potential solutions. As MDCR is primarily a civil law enforcement agency, we will also provide some data around our housing related complaints over the last five years. Finally, we will include the specific policy recommendations created because of this Initiative. That will be our guide for all near future endeavors related to securing fair housing for Michigan.

Before I close, I need to add a heartfelt thanks to the Fair Housing Centers, Legal Aid clinics, and internal staff that helped us to assemble this information. I am also grateful to each of our Summit attendees and members of the community that trusted us enough to share testimony. I look forward to continued work with those who value the goal of eliminating unfairness and bias in housing, appraisals, credit, and mortgage financing.

Sincerely,

John E. Johnson, Jr., Executive Director
Michigan Department of Civil Rights



(MDCR Executive Director John E. Johnson, Jr addresses the audience at the Summit.)

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EXECUTIVE SUMMARY

Beginning in November 2023, the Michigan Department of Civil Rights held four public hearings on fair housing in Detroit, Flint, and Grand Rapids, plus a virtual session. In these hearings we collected more than eight hours of testimony, including recommendations. The Civil Rights Summit on Fair Housing, held June 12, 2024, was developed in part according to the concerns raised at these hearings. Panelists and speakers were challenged to think in terms of policy recommendations.

Through multiple hours of testimony and a full day of Summit discussions, a few common themes rang true. First, addressing housing discrimination is critical to allowing Michigan residents to survive and thrive in our state. Second, fair housing can only be secured through a multifaceted approach using a combination of cooperative enforcement and proactive education. This report represents both the efforts of fair housing groups and MDCR staff, and a commitment to our partnership to reducing housing bias for all.

Legislative Policy Suggestions

- Support legislation around protecting residents from housing discrimination around source of income, eviction record expungement, or criminal records.
- Remove the exemption excluding properties with five or less units since most properties in Michigan are smaller.
- Support legislation making it illegal to discriminate against buyers using FHA loans.
- Educate legislators and regulators about technology-based discrimination to dispel myths and clarify issues.

Administrative Policy Suggestions

- Create a task force with financial companies, data analysts and fair housing groups to create some guiding principles for future uses of AI.
- Increase money for testing and create a pool of testers that can be shared with fair housing centers around the state.
- Create a statewide fair housing and accessibility education and resources initiative targeting tenants, property owners, and staff.
- Create training and resources for CDBG recipients, developers, and local zoning entities regarding exclusionary zoning and accessibility.
- Establish disparate impact investigations around credit ratings and mortgage denial rates.

FAIR HOUSING HEARINGS SUMMARY

Hearing Dates, Times, and Locations

Detroit Hearing – November 8, 2023

The first public hearing was held from 4:00 PM to 7:00 PM on November 8, 2023, at Martin Luther King Jr. and Sr. High School, 3200 E. Lafayette Street, Detroit, MI 48207-3812.

Select Speakers Included:

- Haywood Edwards, Michigan State Housing Development Authority
- Patricia Baird, Legal Services of Eastern Michigan
- Ken Coleman, Historian
- Steve Tomkowiak, Fair Housing Center of Metro Detroit

[Watch the Detroit Hearing](#)

Virtual Hearing – February 7, 2024

The second hearing was virtual and targeted to those communities outside of Detroit, Flint, and Grand Rapids. The event was robust, with three hours of testimony from residents around the state.

Select Speakers Included:

- Aileen Bovan, Michigan Economic Development Corporation
- Peter J. Hammer, Damon J. Keith Center for Civil Rights at Wayne State University
- Alexander Giles, Legal Services of Eastern Michigan
- Elan Nichols, Legal Services of Eastern Michigan
- Patrese Griffin, Kalamazoo County Continuum of Care

[Watch the Virtual Hearing](#)

Flint Hearing – March 16, 2024

Held on Saturday at the Event Center at Mott Community College, the Flint hearing featured testimony from Flint and Saginaw residents.

Selected Speakers Included:

- Steve Shelton, Legal Services of Eastern Michigan
- Ryanne Jaime, Disability Network of Mid-Michigan
- Ilina Krishen, Farmworker Legal Services
- Quincy Murphy, Flint City Council
- Monique Lamar-Silvia, Saginaw City Council

[Watch the Flint Hearing](#)

Grand Rapids Hearing – April 28, 2024

The last public hearing in the series, the Grand Rapids hearing was the only in-person event on the west side of the state.

Selected Speakers Included:

- Nancy Haynes, Fair Housing Center of West Michigan
- Liz Keegan, Fair Housing Center of West Michigan
- Elizabeth Stoddard, Fair Housing Center of West Michigan
- Gayle Harvey, NAACP State Conference
- Cle Jackson, Grand Rapids NAACP
- Tony Gant, Nation Outside

[Watch the Grand Rapids Hearing – Part 1](#)

[Watch the Grand Rapids Hearing - Part 2](#)

SUMMARY OF ISSUES SHARED AT HEARINGS

As with any attempt to gather public feedback, the four hearings revealed a wide range of specific issues with familiar backgrounds. Communications from MDCR were clear that the intent of the hearings was to gather expert testimony and personal experiences regarding discrimination and bias in housing. Materials also indicated that the purpose of the hearings was to form policy recommendations for discussion at the 2024 Civil Rights Summit.

Please note, the overall tone of the hearings related to the escalating cost and scarcity of available housing. However, both the Michigan Civil Rights Commission and the Michigan Department of Civil Rights are charged with eliminating discrimination, not housing in general. We urge people concerned with the overall state of housing to read the Michigan Statewide Housing Plan for information on the general availability of safe, affordable places to live.

This summary is focused on the wide categories created by common fair housing themes, rather than serving as a transcript of each hearing. All four event recordings remain on MDCR's YouTube Channel @micivilrights for those wanting unabridged versions.

Fair Housing Center Testimony

Staff from Legal Services of Eastern Michigan shared several real-life examples that demonstrate the power of using testing to fight discrimination. One example included a young woman with two children who received unfavorable information from an apartment manager. There were numerous incidents about race-based discrimination where a White tester was treated better and more welcome than African American testers. Some elements of bias also included linguistic discrimination based on the color/sound of a person's voice. They found a few instances where a White person with a criminal history was treated more favorably than an African American without a criminal history.

Legal Services staff also recounted denials of emotional support animals or accessible parking spaces, and service animal restrictions based on the size or type of animal. Other areas of accessible denials include ramps and lowering peepholes in front doors. Testers found that 1/3 of the shelters in the area discriminated against people who use wheelchairs and assistance animals. The organization also found high numbers of discriminatory outcomes related to LBGTQ+ status.

Steve Tomkowiack from the Fair Housing Center of Metro Detroit shared that there are dramatic differences between the average net worth of renters

versus homeowners, and among races. The cause of this difference is homeownership. In addition to financial outcomes, homeownership also impacts health consequences and business ownership. The wealth gap between African Americans and Whites has not improved since the 1960s. That means we need a new approach to addressing homeownership disparities. There are almost no examples of appraisal lawsuit judgements or similar against financing discrimination. He argued that we must focus on disparate impact investigations, particularly the rates of home loan denials.

Fair Housing Center of Metro Detroit's third most common complaints are now related to source of income, e.g. social security disability income or housing choice vouchers/subsidized housing. Most jurisdictions within Michigan don't cover this, but in the jurisdictions tested they found widespread discrimination. Another issue is discrimination based on criminal records. A returning citizen who does not have a stable housing situation is much more likely to reoffend. Unfortunately, landlords are often hesitant to rent to people with criminal records, even when the offences are more than 25 years old.

Steven Shelton from Legal Services of Eastern Michigan broke down the forms of housing discrimination violations into four categories: intentional acts caused by bigotry, decisions created by a callous focus on money, open defiance of the law, and disparate impacts by well-meaning parties. While the first three groups are best addressed with investigations or legal action, the final classification can be more complicated. Shelton shared the reality that many shelters for the unhoused make harmful assumptions about accommodations for disabilities rather than asking the person about their needs. For example, shelters may assume they cannot accommodate people in wheelchairs or who use service animals.

Nancy Haynes from the Fair Housing Center of West Michigan shared that in addition to investigations, they also create reports on fair housing conditions. She specifically shared a 2023 report on the State of Housing and Fair Lending in Kent County, which details several aspects of a widening homeownership gap based on race and ethnicity. Perhaps most noteworthy, the data indicated that "since 1970, the gap between white, Non-Hispanic and Black homeownership in Kent County has more than doubled." Haynes further explained that much of this gap is due to different rates of home loan approvals based on race.

Liz Keegan from the Fair Housing Center of West Michigan spoke about the opportunities created by the new law requiring real estate agents to undergo one hour of fair housing training per year. As a result, the center's training opportunities have expanded beyond their capacity. Other fair housing centers

around the state do not provide industry training. Keegan is thankful for the partnerships that they have but recognizes that the demand is greater than current resources.

Elizabeth Stoddard shared that the work of the Fair Housing Center of West Michigan involves data analysis for reports, launching investigations into discrimination and the use of testers. She mentioned that of the 1400 tests completed in the last five years, around 30% revealed evidence of different treatment based on a protected class. One of the anonymous testers shared a story about being subjected to discrimination based on having too many children during one of the tests. She described the feeling of being shocked and feeling helpless even though her circumstances were fabricated.

Source of Income Discrimination

Housing Choice voucher programs often run into landlords/property managers refusing to rent to people that use vouchers. The reasons given may be the size of the family or other demographic information related to the client. Often renters are funneled into undesirable neighborhoods or conditions. Multiple testimonies involved the difficulty of managing the voucher system, sometimes because of the lack of effective communication as an accommodation to a disability.

Multiple individuals who shared struggles with obtaining housing using a voucher also indicated that they were formerly unhoused. That reality reinforces the critical importance of housing choice vouchers, as they are often the last barrier between stability and homelessness. It is critical that vouchers become widely accepted and source of income not a determining consideration.

Another issue mentioned under source of income discrimination applies to the purchase of homes. Several presenters indicated the reluctance of condo associations or other entities to accept FHA loans. Gail Harvey, Housing Chair with the NAACP Michigan State Conference, shared that she frequently encounters refusals to sell as a licensed real estate agent. While FHA loans often require a smaller down payment and other benefits for the buyer, she argues that they are often used by the seller as a mechanism for associations to keep certain people out of areas.

Discrimination Based on Criminal Records

Several speakers from The Vera Institute for Justice and Nation Outside addressed the commission regarding housing discrimination based on criminal records. Lisa Tencer from the Vera Institute of Justice shared that

more than 2 million people in Michigan have a conviction or arrest history and that, according to a 2021 survey by MSHDA, people with conviction histories reported the highest levels of housing discrimination. This compounds the racial inequities already present in the criminal justice system.

In addition, Tencer shared that HUD guidelines already prevent subsidized housing providers from categorically denying housing assistance to an applicant based solely on a conviction. In both 2016 and 2022 HUD released guidance on how discrimination based on arrest record or conviction history could potentially violate the Fair Housing Act. HUD further proposed that housing providers can only consider conviction histories that are directly relevant to the health and safety of staff and other tenants. Finally, the federal agency called checking for criminal histories beyond three years in the past unreasonable.

Several individuals spoke in support of legislation to ban discrimination based on criminal records in housing. One resident shared their story of being forced out by a housing association because her new husband had a felony record. A second testimonial recounted spending two years searching for housing while being denied repeatedly before learning that the husband's criminal record was the issue. Another person indicated that many landlords take an application fee and give a tentative yes just so they can run criminal history checks.

A formerly incarcerated individual who now assists community residents shared that even people who are arrested and found not guilty can have issues rejoining the community after an extended stint in jail. He further indicated that barriers to housing can create a revolving door to incarceration because returning citizens cannot build a stable life without fulfilling basic needs such as a secure home.

Two landlords shared the reality that House Bill 4878 would not affect them because they were not currently using policies based on categorical discrimination against people with criminal records.

Tony Gant from Nation Outside talked about his struggle to regain his footing after leaving incarceration. He shared that it is impossible to get a job, go to college, or stabilize life goals without first having a place to live.

These groups asked the Michigan Civil Rights Commission to endorse House Bill 4878 which mirrors many of the provisions of the HUD guidelines.

Accessibility in Housing

Perhaps the most frequently addressed issue during the hearings was accessible housing. Several speakers shared stories about landlords or property managers refusing to consider accommodations.

Ryanne Jaime from the Disability Network of Mid-Michigan clarified that in the state of Michigan paperwork to identify legitimate service animals is not required. She also shared that many landlords or property managers create restrictions that are unnecessary under the law, such as rules limiting the size or type of animal or disallowing all animals with blanket reasons such as allergies. She also lamented that people with disabilities often utilize vouchers, which sometimes means they live in low-income areas where buildings do not have grab bars in showers or other common accommodations. She finally talked about the need for universal housing that accommodates everyone, including braille on door signs and lowered light switches for people using wheelchairs.

Legal Services of Eastern Michigan staff shared that they have assisted clients with live-in aides that often must go through extra steps because property managers want the aide's name on the lease. A woman from Saginaw also shared about tensions with a property manager regarding the presence of a live-in aide as an accommodation to her disability. Like a few other testimonies, she recounted that regardless of the outcome of requests for accommodation, the requesting tenant often faces retaliation. Finally, she lamented that often the accommodation request must be renewed yearly and was frequently denied/delayed without reason or for unrelated issues such as not having a fax number.

Fair housing groups and several individuals spoke about denials around assistance animals. One person shared a story about an apartment complex that did not accept emotional support animals. The same location had a definition for assistance animals that was based on their own evaluation rather than the law. Another long-time resident was faced with accommodation refusals related to assistance animals and equipment as an accommodation for deafness. A third woman who was legally blind with mobility issues recounted her frustration and confusion while attempting to navigate her landlord's complicated process for declaring an assistance animal and requesting other accommodations.

Outside of assistance animals, several testimonies focused on cases where accommodations for disabilities were refused without the proper consideration. Multiple individuals who are deaf or hard of hearing shared

stories of being denied ASL communication and visual alerts for doorbells or alarms. This impeded routine communication between the tenant and property managers, and often led to the inability to ask questions or fully understand policy changes. The lack of flashing light alerts for doorbells and fire alarms also left these residents missing apartment visitors and emergency alerts, including one woman who was completely unaware of a fire alarm until she saw the flashing lights on emergency vehicles.

Accommodations refusals also included those with mobility issues. One woman shared a story about requesting a ground floor apartment as an accommodation to a disability that made stairs an issue. The landlord in that case apparently ignored the requests and even refused to allow a stair lift to be installed using external funding.

Several people shared the fact that housing is not affordable, and many landlords require that income be up to three times the rent. Unfortunately, that has a disparate impact on people with fixed incomes such as retirees and people with disabilities.

County service providers shared stories of women with children being denied housing because of the family circumstance or one of the children having a disability that could cause liability issues.

Appraisal Discrimination

Appraisal discrimination was another frequently mentioned topic. While they did not testify at the hearings, Detroit Future City has released a report covering appraisal discrimination in Detroit. A resident of the East Davidson Village community shared that a 1000 square foot home in Hamtramck may be appraised at \$120k while a similar home within her community would be worth \$30-40K. That is a significant difference in home value.

Former MDCR colleague Jerome Reide testified that he was told to remove family pictures or other artwork that indicated the family was African American. After these changes the house appraised higher. Gayle Harvey with the state conference of the NAACP also echoed issues with appraisals being different based on the race of the homeowners. She also mentioned that while real estate agents cannot honor race selective home sellers, the seller can locate a homebuyer and then use an agent to finish the deal.

Finally, one African American woman in Lansing shared that she had to sell a house due to a pending divorce. The house was appraised at \$70k, but a few months later the house next door sold for \$185k.

Home Loans Discrimination

Gayle Harvey also provided testimony that people of color are often targeted for loans with adjustable rates or other unfavorable terms. She shared that many people were given adjustable rates and told they could refinance for a fixed rate after a set period. However, when that time arrived, they were denied the refinance option. This led to the loss of homes and destroying the net worth of many families.

Real Estate Heir

Cle Jackson of the Grand Rapids NAACP and Detroit Future City staff both shared the fear that various mechanisms were wiping out potential inheritances. Whether it was tax hikes aimed at heirs or predatory lending programs taking the homes of seniors, many families are discovering that it is difficult to pass property on to succeeding generations. Jackson specifically shared how property taxes seem to double or quadruple once a property is inherited. That, combined with normal upkeep costs, makes it nearly impossible to maintain a newly inherited property.

LBGTQ+

According to staff at fair housing centers, members of the LBGTQ+ community may also find themselves being targeted for housing related discrimination. One person testified that many unhoused service providers are Catholic, and they require certain religious activities as part of offering resources. This is especially a problem because of the difference of opinion between LBGTQ+ people and the Catholic church. However, because the Catholic Church does not receive government funding they seem to discriminate with impunity.

Exclusionary Zoning

Patricia Baird shared that while conducting impediment studies, she realized that several communities were using outdated zoning ordinances and masterplans. This can be a problem because plans created 20-30 years ago often include exclusionary language. In addition, municipalities must learn to take a zoning approach that doesn't specifically identify exclusions that can cause disparate impacts against certain groups.

Staff from Farmworker Legal Services shared a few zoning issues related to local ordinances or landlord directives that have a disparate impact based on national origin. For example, some housing may be designated for male workers only, which affectively discriminates against migrant and seasonal farmworkers that are perceived as being from other countries. Women workers may find that no housing exists for women or families. Local

ordinances or zoning restrictions may also use coded language when excluding developments, such as referring to the undesirability of too many men housed in one location.

Dale Freeman of the Michigan Department of Health and Human Services Farmworker Outreach Services Division also shared some examples of disparate impact discrimination aimed at farmworkers. Specifically, he recounted examples of local zoning ordinances that mention the citizenship and duration of stay of inhabitants of migrant housing.

Environmental Justice

Environmental justice issues were not widely discussed as most people were concerned with issues around renting and buying a home. However, one woman was concerned about the environmental impact of used tire shops and liquor stores being opened within her community. Specifically, the tire shops resulted in used tires being stacked in abandoned homes and other buildings. Another woman who runs a local nonprofit for parenting support provided testimony about how stable housing and local food outlets can be fundamental steps to building strong families.

SOLUTIONS PROPOSED AT FAIR HOUSING HEARINGS

AI and Fair Housing

- Require that AI models include controls to prevent disparate impacts against protected classes.
- Hold companies responsible for discriminatory decisions made by AI models.
- Encourage people who care about fair housing to study programming, AI coding, and data analysis in school.
- Create a task force with financial companies and fair housing groups to create some guiding principles for future uses of AI.

State of Fair Housing

- Increase money for testing and recruit a wider variety of testers.
- Create a state level pool of testers that can be shared with fair housing centers around the state.
- Cooperate with MSHDA on the Statewide Housing Plan on fair housing objectives.
- Educate the public and market the need, importance, and rules of fair housing.
- Work to help property managers understand HUD guidelines regarding a more nuanced approach to balancing tenant safety and criminal records.
- Commission and other entities should support House Bill 4878 the Fair Chance Access to Housing Act.

Environmental Justice

- Work with local governments to update approaches to mixed use neighborhoods to ensure environmentally friendly outcomes.
- Address food deserts.
- Secure funding for environmental cleanup projects.
- Pass legislation to curb the environmental causes of climate change.

Rental Real Estate

- Increase money for targeted fair housing training to property managers and owners.
- Secure more money to fair housing centers for renter-focused testing programs.

- Collect, review, and provide feedback to developments on their tenant selection criteria.
- Provide technical assistance and training to developments on addressing affirmative marketing best practices.
- Need effective source of income and criminal record legislation. Remove the exemption excluding properties with five or less units since most landlords in Michigan are smaller.
- Greater oversight, education and engagement to ensure that landlords and property management associations understand and abide by fair housing law and are held accountable. Perhaps mandatory requirements when a person licenses rental properties.
- More money and recruitment for retesting.
- LGBTQ+ discrimination in housing campaign to help people understand these groups and the rights and responsibilities under the law.
- Requirement for property managers and owners to have fair housing training so that they can be better held accountable.

Legal Updates

- Communicate legal changes to property managers, and real estate professionals.
- Communicate Michigan legislation impacting fair housing discrimination protections to the public.
- Communicate guidance from HUD and other federal entities that impacts fair housing.

Disability/Accessibility

- Conduct information campaigns targeted at landlords/property managers regarding the laws around assistance animals.
- Commit to greater enforcement and oversight of landlords/property managers to make sure they follow the rules regarding assistance animals.
- Establish a standard process for landlords and property managers to facilitate requests for accommodation and responses.
 - Include reasonable timeline for response and denials in writing including the specific reason.
- Provide guidance to landlords/property managers regarding accommodations to various disabilities.

State Resources and Policy

- Establish and maintain a much closer working relationship between MDCR and fair housing centers.
- Faster resolution of MDCR complaints.
- More training around source of income, prisoner re-entry, and appraisal testing.
- More support and training for Community Development Block Grant (CDBG) recipients so they can develop fair housing plans.
- Stricter rules and enforcement related to zoning and development under CDBG funds, especially related to identifying groups.
- MDCR annual trends report including best practices.
- Statewide marketing media campaign related to fair housing.
- Support legislation related to source of income and criminal record discrimination.
- Stronger financial support for fair housing and legal service entities as they are often the last hope for people wishing to retain stable housing.

Homebuying Real Estate

- All appraisers and real estate agents should be trained in bias and fair housing laws.
- Condo associations should receive targeted training in bias and fair housing laws.
- More money to fair housing centers for testing programs focused on appraisals and homebuying.
- Money and expertise for disparate impact studies on raced based origination rates among banks and the terms of the loans when origination happens.
- Explore National Association of Realtors ACT (Accountability, Change, and Training) program for opportunities to promote fair housing.
- Focus on homeownership as a right and necessity for stable individual, family, and community outcomes.
- Promote HUD's website to report appraisal bias: pave.hud.gov.
- Legislation should be passed to make it illegal to discriminate against buyers because they are using FHA loans.
- Considering a new law that requires real estate agents to have 1 hour of fair housing training per year, promote best practices and enhance resources to maximize the impact of these trainings.

Zoning

- Allocate additional money so that fair housing centers or other entities can aid communities in updating zoning ordinances or creating new community masterplans to prevent exclusionary zoning.
- Zoning plans should not include provisions to exclude families or women from housing.
- Work with the Michigan Municipal League to provide resources to communities for addressing exclusionary zoning or auditing for disparate impacts.

Disparate Impact Investigations

- Establish disparate impact investigations around credit ratings and mortgage denial rates.
- Increase funds for large-scale testing and disparate impact investigations targeting frequent discriminators.

Best Practices

- Avoid blanket policies that treat an entire group of people the same way regardless of individual nuances. This applies to people with disabilities or criminal records especially.

CIVIL RIGHTS SUMMIT ON FAIR HOUSING

Event Details

The 2024 Civil Rights Summit on Fair Housing was held at the Icon in Detroit, Michigan on June 12. More than 300 people attended the all-day event dedicated to discussing topics around fair housing with the intention of finding policy recommendations. The Opening Keynote was provided by Lisa Rice, President, and CEO of the National Fair Housing Alliance. The Closing Keynote was provided by Colette Massengale, Senior Policy Representative for Fair Housing with the National Association of Realtors. Attendees were also treated to a surprise guest speaker – Governor Gretchen Whitmer.

The following pages will contain brief summaries of each of the plenary and workshop sessions, as well as the specific recommendations offered by panelists and attendees. Full video of the event is available at our YouTube channel [@micivilrights](#). Photos of the day can be found on [Flickr](#).

SUMMARY OF WORKSHOP DISCUSSIONS

Opening Plenary: Navigating Fair Housing in an AI World

Speakers:

- Lisa Rice, President and CEO, National Fair Housing Alliance
- Molly Kleinman, Ph. D., Managing Director of the Science, Technology, and Public Policy program, Gerald R. Ford School of Public Policy, University of Michigan
- Anthony Lewis, Director, Community Engagement and Education, Michigan Department of Civil Rights (Moderator)



(Photos left to right: Clockwise: Anthony Lewis, Director, MDCR Community Engagement & Education Division; John E. Johnson, Jr, MDCR Executive Director; Molly Kleinman, Ph.D., Managing Director, University of Michigan Science, Technology, and Public Policy program. Lisa Rice from the National Fair Housing Alliance speaks behind the podium.)

Summary:

As the first session of the day, the Opening Plenary began with comments by Commission Chair Gloria Lara and MDCR Executive Director John E. Johnson, Jr. The pair talked about the four fair housing hearings and the purpose of the Fair Housing Summit. Nancy Haynes from the Fair Housing Center of West Michigan then introduced the morning keynote Lisa Rice from the National Fair Housing Alliance.

Rice explained that addressing current challenges to fair housing will require concerted efforts, as the public is not likely to recognize something like algorithmic bias. Technology creates hidden forms of discrimination that

move faster and impact more people. She then gave several examples, including FICO credit scores based on biased information, facial recognition software with a reduced accuracy for African Americans, and risk-based pricing that assigns higher cost burdens on African American and Latino customers.

Molly Kleinman, Ph.D., then spoke for a few minutes on regulation and public policy around AI. She clarified that we must stop picturing AI technologies of the future and start defining and addressing the harms of modern tools. For example, research has indicated that tenant screening algorithms both enable discrimination and provide inaccurate information. The session closed with a panel discussion moderated by Anthony Lewis.

Watch the full Opening Plenary on our YouTube channel [@micivilrights](#).

Policy Recommendations

- Educate legislators and regulators about technology-based discrimination to dispel myths and clarify issues.
- Take a piecemeal approach to legislation to address concerns as they arise, rather than waiting for omnibus legislation.
- Create new approaches to enforcing fair housing laws considering modern technologies.
- Use a trusted research entity, such as a university, to access private data and discern whether there is any discrimination occurring.
- Educate the public about housing discrimination and where they can go for help.
- Encourage state and local agencies to adopt the National Institute of Standards and Technology (NIST) framework and Biden Administration AI Bill of Rights.
- Promote training technology experts and data scientists to understand and prevent biased outcomes.
- Join policy conversations around AI and work to eliminate jargon and unnecessary complications.
- Volunteer to help your local fair housing organization with testing or other actions.

State of Fair Housing in Michigan: Past, Present and Possibilities

Speakers:

- Haywood Edwards, Inclusion Specialist, Michigan State Housing Development Authority
- Roshanak Mehdipanah Ph.D., MS, Director of the Housing Solutions for Health Equity, University of Michigan
- Sonya Merriweather, Deputy Director of Investigations, Michigan Department of Civil Rights
- Steven Shelton, Staff Attorney, Legal Services of Eastern Michigan
- Rebecca Irby, Director of Transformational Change, New Detroit (Moderator)

Summary

Roshanak Mehdipanah, Ph.D. began her presentation by demonstrating how housing is a multifaceted determinant of health. Because of this intersection with other forms of disparate impacts, addressing housing discrimination requires understanding the interconnected factors. Steven Shelton related the historical reality of redlining and how that continues to shape the modern world despite a general change in the acceptability of open bias. Testing at fair housing centers demonstrates that modern discrimination happens with a smile.

Haywood Edwards talked about how post war policies offering housing loans to Whites were not offered to African American soldiers. Despite the progress of the years since, home ownership rates between residents of different races mirrors the benchmarks set before the Fair Housing Act. Sonya Merriweather shared information about MDCR's complaint investigation process and examples of the kinds of issues investigated. She urged real estate professionals to utilize resources from Fair Housing Centers, MDCR, and HUD and practice good communication with tenants.

Policy Recommendations

- Collaborations among local housing organizations can help to leverage data for targeted interventions and mitigate challenges to fair housing.
- Promote the requirements and best practices of Analysis of Impediments studies required by HUD.

- Promote the MSHDA goal to examine fair housing impediments across Michigan and use the findings to address specific community needs.
- Support Michigan legislation around Source of Income protections (Senate Bills 205, 206, and 207, along with House Bills 4062 and 4063).
- Support Michigan legislation around eviction record expungement (House Bill 5238 of 2023).



(State of Fair Housing panelists from left to right: Rebecca Irby, Director of Transformational Change, New Detroit (Moderator); Roshanak Mehdipanh Ph.D., MS, Director of the Housing Solutions for Health Equity, University of Michigan; Haywood Edwards, Inclusion Specialist, Michigan State Housing Development Authority; Steven Shelton, Staff Attorney, Legal Services of Eastern Michigan; and Sonya Merriweather, Deputy Director of Investigations, Michigan Department of Civil Rights)

Environmental Justice: Fair and Just: Affordable and Sustainable Fair Housing in the Era of Climate Change

Speakers:

- Briana DuBose, Executive Director, EcoWorks
- Linda Little, President and CEO, Neighborhood Service Organization
- Ninah Sasy, Director of Policy and Planning, Michigan Department of Health and Human Services
- Maysoon Khatib, Civil Rights Investigator, Michigan Department of Civil Rights (Moderator)

Summary

The environmental justice panel discussion was based on a series of discussion questions. Ninah Sasy began her presentation with a primer on redlining and how that undermined the efforts of people of color who moved to Michigan for a better life. She also shared that air and water pollution, and reduced infrastructure investment was often concentrated within those redlined neighborhoods. Linda Little spoke to ongoing efforts to devalue communities of color in the state, and the critical importance of including those residents in policy decisions.

Briana DuBose revealed the fact that climate change impacts are often greater within communities of color. Issues such as air quality, heat islands, and flood plains will continue to have a disparate impact on those groups in the future. Right now, these communities have higher incidence of asthma and cancer from air pollution and flooding induced black mold.

Policy Recommendations

- Provide policy and resources to support Social Determinants of Health (SDOH) Hubs across the state that would provide medical respite for those with housing instability.
- Ensure transparency in housing data collection and reporting to identify disparities and hold policymakers accountable for addressing concerns.
- Support policies to reduce the energy burden of people living in areas with aging infrastructure, including income-based payment plans or money for upgrading to more energy efficient HVAC, appliances, or home structures.

- Implement policies that address environmental injustices, such as pollution mitigation measures and equitable distribution of green spaces and recreational facilities.
- Direct resources towards improving infrastructure, such as public transportation, healthcare facilities, and access to healthy food options, in underserved areas.



(Wide shot of the audience watching the panelists in the Environmental Justice workshop.)

Real Estate Industry: Renters' Journey, Recipe for Success

Speakers:

- Dwayne Barnes, Senior Program Manager, Detroit Future City
- Jennifer Lucarelli, Ph.D., Associate Professor, Interdisciplinary Health Sciences, Oakland University
- Rene Hoffmann, Civil Rights Manager, Michigan Department of Civil Rights (Moderator)

Summary:

Dwayne Barnes began with a presentation on the Detroit housing rental market. He noted that the demand for housing is outpacing the supply, and that most renters pay more than 30% of income to rent. Professor Lucarelli shared a story about a program to provide food to families that started during the pandemic. Overtime, it became obvious that a similar program for housing was necessary, especially after realizing the convoluted nature of application processes for housing assistance.

From this experience, Professor Lucarelli created a “Renter’s Journey” that explains each of the stages of applications for housing assistance and where problems may occur.

Policy Recommendations:

- Encourage property owners and managers to simplify the rental process, including eliminating junk fees or requiring 2 to 3 times the rent in income.
- Promote gender conforming policies within shelters so members of the LGBTQ+ community are not turned away or forced to identify with another gender to get assistance.
- Require landlords and property owners and housing advertising websites to address information more clearly about accessibility.
- Disseminate information to small property owners about fair housing and ask what resources they need to eliminate housing discrimination.

Legal Updates: Legal Landscape of Fair Housing 2024

Speakers:

- Steve Tomkowiak, Executive Director, Fair Housing Center of Metropolitan Detroit
- Timothy Moran, Deputy Chief, Housing and Civil Enforcement Section of the Civil Rights Division, US Department of Justice
- Bryant Osikowicz, Director of the Office of Legal Affairs, Michigan Department of Civil Rights (Moderator)

Summary

In this panel discussion, the two presenters offered attendees updates on state, federal and local laws that potentially impact housing. They also discussed a variety of suggestions for legislative changes that could strengthen state fair housing laws. Among the updates discussed were the recent changes to the Michigan Elliott-Larsen Civil Rights Act to include sexual orientation, gender identity and expression, and hair related traits historically associated with race.

The other major topic of discussion involved Source of Income (SOI) protections in housing. The Equal Credit Opportunity Act prohibits discrimination in any aspect of a credit transaction. In addition to bases like race, color, etc., this Act also includes the applicant's receipt of income from public assistance programs. Michigan has no SOI protections, although legislation is pending (Michigan House Bills 4062 and 4063 of 2023 and Senate Bills 0205-0207 of 2023.) Seventeen local ordinances currently address forms of source of income discrimination in housing.

Policy Recommendations

- Update ELCRA and PWDCRA to:
 - Allow punitive damages to end violation of HUD regulations governing substantial equivalency status.
 - Provide standing for fair housing organizations so they can file based on testing evidence even if no victims are likely to file.
 - Allow for a computation of a 3-year period no later than 3 years from the date of the alleged occurrence or 3 years from when the alleged issue should have been discovered.
 - Cover post-acquisition claims for reasonable accommodations and modifications, since most requests happen after the move-in date.
 - Make the Court of Appeals the only appeal following MCRC.

Lunch Plenary: Unleashing the Facts on Assistance Animals

Speakers:

- Amy Nelson, Executive Director, Fair Housing Center of Central Indiana
- Jill Gaus, LPN, Trustee, Leader Dogs for the Blind
- Nedra Campbell, Assistant United States Attorney, United States Attorney's Office, Eastern District of MI
- Tyra Khan, Director, Disability Rights and Compliance Division, Michigan Department of Civil Rights (Moderator)



(Photos left to right: Jill Gaus, LPN, Trustee, Leader Dogs for the Blind speaks through her interpreters. The three panelists from the Lunch Plenary pose for a picture. Left to right: Jill Gaus, LPN, Trustee, Leader Dogs for the Blind; Nedra Campbell, Assistant United States Attorney, United States Attorney's Office, Eastern District of MI; Amy Nelson, Executive Director, Fair Housing Center of Central Indiana.)

Summary:

The lunch plenary was a panel discussion with prepared questions. Nedra Campbell offered clarification on the definition of service animals and the laws that govern their use. Specifically, Titles II and III of the ADA and the Fair Housing Act all offer guidance. She also shared that the definition of assistance animals is broader than emotional support animals. Jill Gaus added in her personal experiences with her service animal, including incidents of discrimination.

Amy Nelson contributed to the discussion with some specifics about the treatment of accommodations in different settings. Overall, home is considered a safe space, so laws around service animals in housing are designed with a different approach than public service situations. Tenants cannot be charged extra fees for service animals in the home, but they still

need to follow the same rules as those without disabilities. Also, no national certification process exists for service animals, meaning people must only demonstrate a need.

Policy Recommendations

- Provide more funding and administrative support for enforcement.
- Provide landlords or property managers training to understand fair housing laws regarding disabilities.
- Publicize ADA and Fair Housing policies so everyone can understand these rights and ensure they are properly enforced.
- Publicize the options for enforcement when discrimination is encountered, including the MDCR, HUD and the US Attorneys' Office.

State Resources, Recommendations, and Policy Solutions: Fair Housing Is a Human Right

Speakers:

- Haywood Edwards, Inclusion Specialist, Michigan State Housing Development Authority
- Jon C. Campbell, Division Director, Investigations and Inspections Division of the Bureau of Professional Licensing, Michigan Department of Licensing and Regulatory Affairs
- Kim Trent, Deputy Director for Prosperity, Michigan Department of Labor and Economic Opportunity
- Parker Fisher, Legislative Liaison and the Tribal Liaison, Michigan Department of Insurance and Financial Services
- Marcelina Trevino, Director of Enforcement, Michigan Department of Civil Rights (Moderator)

Summary:

John Campbell began the panel by providing a brief background on the work of the Michigan Department of Licensing and Regulatory Affairs regarding appraisers, property management companies, and real estate professionals. Campbell explained that LARA rarely receives complaints regarding discrimination in these areas but acknowledged attending the fair housing hearings and listening to instances of bias from the community. Kim Trent shared that both poverty and the lack of affordable housing led to problems from housing instability. Layering discrimination upon struggling demographic groups has a variety of consequences and requires a multipronged approach.

Haywood Edwards talked about how historical government policies were responsible for preventing and limiting access to housing for disenfranchised groups. He argued that housing solutions must therefore involve going out into the community to get feedback and work with partner agencies that connect with residents. Checking a box is not enough. Parker Fisher indicated that the Michigan Department of Insurance and Financial Services (DFIS) does review housing mortgages for signs of disparate impacts and urges people who feel they have been subjected to discrimination in lending to contact DFIS.

Policy Recommendations:

- Support the work of the Michigan Poverty Task Force.
- Publicize the truth about poverty to change the public image.

- Change the focus from jobs to good jobs.
- Support the work of the 60/30 initiative.
- Enhance enforcement protections against retaliation in fair housing.
- Reduce investigation times in housing investigations.
- Proactively seek input from those with lived experience, including providing stipends for people away from work.
- Use alternative financing models for making housing affordable.
- Decommodify housing.

Real Estate Industry: From Roadblocks to Building Blocks: Removing Barriers to Help Homebuyers Build Wealth and Equity

Speakers:

- Eureka C. People, President, Housing Kent
- Jay Kilgo, City Commissioner, City of Muskegon and Associate Broker, Pinnacle Realty
- Paul Keifer, Community Reinvestment/Fair Lending Production Manager, Grand Rapids Market Integration Executive, Bank of America
- Michael Tierney, President and CEO, Community Bankers Association
- Gayle Harvey, Housing Chair, NAACP State Conference (Moderator)

Summary:

This workshop was a panel discussion including prepared questions and inquiries from the audience. The panelists shared great advice for individual first-time homebuyers and general information about initiatives and ideas for increasing the number of homeowners overall. Jay Kilgo mentioned getting real estate professionals to join the National Association of Real Estate Brokers (NAREB) as REALTISTs can serve as a potential resource for community assistance in promoting fair housing and home ownership. Kilgo also asked attendees to engage with local elected officials to help them develop pro-housing awareness.

Paul Keifer acknowledged that the history of housing discrimination makes potential homebuyers hesitant to trust financial institutions or believe that homeownership is possible. He shared that banks must be willing to conduct outreach to let people know about resources and programs that can help. Michael Tierney urged people to establish relationships with banks or credit lenders before they consider buying a house. Eureka People displayed the Housing Stability Alliance data dashboard that demonstrates the realities of the housing crisis in Kent County.

Policy Recommendations:

- Engage local elected officials to focus on pro-housing policies.
- Educate communities regarding fair housing and housing stability resources, services, and programs
- Utilize religious communities and churches as partners to spread the word about homebuying resources.
- Change tax policies to allow heirs to keep properties

Exclusionary Zoning: Overcoming Zoning That Excludes Affordable Housing, Minorities, and Group Homes for People with Disabilities

Speakers:

- Sara Pratt, Counsel, Relman Colfax PLLC
- Shari Williams, Director of Equitable Neighborhood Planning, Detroit Future City (Moderator)

Summary:

The Exclusionary Zoning workshop was led by Sara Pratt alone, as Daniel Lauber was unable to attend. Fortunately, Pratt has a long history of zoning expertise. Pratt noted a trend of larger communities adjusting zoning practices to match federal fair housing laws, while smaller areas lag until they are forced to update. She also described several specific cases where group homes or developers encountered zoning-based discrimination from local communities.

According to Pratt, discrimination examples can include overt discriminatory language, or code words like “subsidized” or “neighborhood character.” Zoning processes may suddenly become more cumbersome or involve unnecessary public hearings.

Policy Recommendations:

- Provide training for group home operators about zoning discrimination.
- Provide materials to developers about zoning discrimination.
- Conduct a survey of zoning laws that effect towns of under 100 people to identify discrimination & issue a report.

Disparate Impact Investigations: An Examination of the Disparate Impacts of Housing Discrimination and Effective Investigative Strategies

Speakers:

- Becky Nespital, Enforcement Coordinator, Fair Housing Center of West Michigan
- Sol T. Kim, Esq., Attorney, US Department of Housing and Urban Development
- Steve Tomkowiak, Executive Director, Fair Housing Center of Metropolitan Detroit
- Valerie Barkley, Staff Attorney, Michigan Department of Civil Rights (Moderator)

Summary

The Disparate Impact investigations panel assembled an attorney with expertise in federal law and two experts in fair housing center investigations from opposite ends of the state. Together they treated attendees to a primer on three different types of disparate impact cases. Steve Tomkowiak focused his presentation on evictions, beginning with the sobering statistics about eviction filing rates against different groups of people. He further demonstrated the difference between disparate treatment and disparate impact, with the latter requiring proof that a neutral policy or practice has an adverse effect.

Sol T. Kim's comments centered on housing discrimination and criminal history, noting that racial disparities within the justice system can exacerbate the impact of blanket policies against criminal records. He encouraged landlords and property managers to take a more nuanced approach, considering the specific circumstances surrounding the criminal conduct, tenant history, and the number of years since last encountering the justice system. Finally, Becky Nespital discussed disparate impact and occupancy limits in rental units. She urged an analysis of a policy's disproportionate impact on families.

Policy Recommendations

- Promote the value of the disparate impact theory of liability and develop tools to combat policies that cause adverse impacts against one or more protected classes.

- Educate property managers and owners to make sure that any policies implemented do not result in adverse discriminatory impacts against any protected class group or result in the perpetuation of segregation.
- Promote the adoption of nuanced rental policies that require an individualized assessment of each potential tenant, including the exclusion of sealed eviction records and a reasonable lookback period.

Closing Plenary: Best Practices and Innovative Approaches to Increasing Equity in Housing

Speakers:

- Governor Gretchen Whitmer
- Colette Massengale, Senior Policy Representative for Fair Housing, National Association of Realtors
- Anika Goss, Executive Director, Detroit Future City
- Kaci Pellar, Policy Manager, Detroit Disability Power
- Ki'ara Torrens, Housing Choice Voucher (HCV) Field Manager, Michigan State Housing Development Authority (MSHDA)
- Alfredo Hernandez Corsen, DEI Division Director, Michigan Department of Civil Rights (Moderator)



(Photos left to right: Governor Gretchen Whitmer stands behind the podium on stage. Colette Massengale, Senior Policy Representative for Fair Housing, National Association of Realtors stands on stage in front of her presentation.)

Summary:

As a surprise guest speaker, Governor Whitmer launched the closing plenary with some examples of how unfortunate housing situations can harm individuals, families, and the state. She also spoke about programs to enhance the state's housing stock and cut down on energy bills with alternative energy rebates. As the Closing Plenary Keynote speaker, Colette Massengale shared information about the Accountability Culture Change and Training program at the National Association of Realtors. Massengale also talked about the importance of antibias training for real estate agents and consumers, and the fair housing champions program to advance homeownership in underrepresented communities.

During the question-and-answer portion, Anika Goss indicated that Detroit Future City's research found disparities between Whites and African Americans in Detroit in mortgage denial rates and home valuation. She also shared that 1% of appraisers are persons of color. Kaci Pellar added that more than 2 million people in Michigan have a disability, creating a real problem with the availability of accessible housing. She also mentioned that apartment buildings should be created with standard accessibility tools in mind, such as Braille on elevator doors, ramps, and visual alert systems.

Ki'ara Torrens talked about MSHDA's efforts to promote housing choice vouchers to reluctant property managers and owners. She included changes such as offering leasing bonuses, landlord damage claim requests, and streamlining inspections.

Policy Recommendations:

- Promote fair housing and antibias training among real estate professionals, appraisers, and property managers/owners.
- Encourage more diversity within the appraisal field.
- Standardize accessibility in common areas within apartment complexes and increase the number of accessible rental spaces.
- Provide education on fair housing laws to landowners, property managers, and tenants, including accessibility requirements.
- Increase housing stock and find solutions outside the housing vouchers program.

SUMMIT DATA REGARDING ATTENDEES/SPEAKERS

Summit Attendees by Organization Type (Where indicated)

Organization Type	Total
Appraisers	1
City Government	16
College/University	7
County Government	4
Disability Rights	14
Entertainment	1
Fair Housing	19
Federal Government	10
Financial	10
Health Care	1
Legal Aid	12
MDCR	62
None	16
Nonprofit/Community	68
Real Estate	13
State Government	32
Summit Vendor	17
Grand Total	303

MDCR HOUSING INVESTIGATIONS AT A GLANCE

4/1/2019 to 3/31/2024

Housing Cases by Issue

Discrimination Issue	Number of Cases
Advertising	16
Denied Access	1
Eviction	280
Failure to Accommodate Disability	384
Failure to Loan	18
Failure to Rent	124
Hostile Environment	97
Other Terms & Conditions	634
Purchase Offer Denied	10
Redlining/Steering	10
Refusal to Sell	14
Sexual Harassment	13
Grand Total	1601

Housing Cases by Year

Year	Cases Opened
2019	245
2020	284
2021	309
2022	230
2023	260
2024	40
Grand Total	1368

* A complaint may have multiple issues with more than one basis; the data may not reflect the total number of certified complaints for that period.

* Cases may be opened and closed throughout the investigative process; results may vary when subsequently queried.

Housing Complaints by Basis

Basis of Discrimination	Count of Total Basis
Age	81
Color	9
Disability	735
Familial Status	72
Marital Status	29
National Origin	64
Race	473
Religion	27
Retaliation	115
Sex	161
Sexual Orientation	1
Grand Total	1767