

NOVEMBER FAIR HOUSING NEWSLETTER

Mission Statement & History

The Bowling Green Human Rights Commission was established by City Ordinance on August 1, 1966 with a mission to promote fair treatment and equal opportunity regardless of race, color, religion, national origin, age (over 40), sex or disability. The Commission dedicates itself to opening doors of opportunity, eliminating discrimination, and promoting positive human relations within the community. Additional responsibilities & goals of the Human Rights

Commission are as follows:

- a. To receive, initiate, investigate and seek to conciliate complaints alleging discrimination in the areas of housing, employment and public accommodation.
- b. To promote mutual understanding and respect that will lead to elimination of discrimination among all economic, social,
- c. Racial, religious, and ethnic groups.
To recommend methods for elimination of discrimination and inter-group tensions, and to secure compliance with recommendations.
- d. To cooperate with various departments, agencies, and boards of the city and the

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Newsletter Features the following topics below about the Bowling Green Human Rights Commission and Fair



Housing!

- ❖ **Bowling Green Human Rights Commission Mission Statement & History**
- ❖ **The Bowling Green Human Rights Commission operates with 2 staff members and 13 Board of Commissioners:**
 - ❖ **Alice G. Waddell, Executive Director and Chiquita G. Lightfoot Administrative Coordinator and Fair Housing Outreach Education Coordinator**
 - ❖ **Board of Commissioners:**
 - Wathetta Buford, Chair**
 - Bob Deane, Vice Chair**
 - Phyllis Anderson**
 - Michael Coleman**
 - Lisa Cook**
 - Matt Davis**
 - Kristina Huddleston**
 - Huda Melky**
 - Dr. Richard Miller**
 - Jason Scott**
 - Clay Smalley**
 - Demetrius Steele**
- ❖ **What is Fair Housing**
- ❖ **Evictions**
- ❖ **How to avoid eviction**

- commonwealth in effectuating these purposes.
- e. To enlist the support of civic, labor, religious, professional, educational organizations and institutions in
 - f. Community activities and programs that will further these purposes.
 - g. To organize community committees and councils that will work toward these goals.

WHAT IS FAIR HOUSING?

The Fair Housing Act of 1968 was the last Civil Rights Movement important legislature initiatives passed in the tumultuous 1960's.

Following the Civil Rights Act of 1964 which addressed public accommodations, and Voting Rights Act of 1965 which addressed voting rights, the Fair Housing Act of 1968 was passed and signed into law on April 11, 1968 just a week after the assassination of Rev. Dr. Martin Luther King, Jr. It is often stated and believed that the assassination of Dr. King was the final event that led to the passage of the act. The act is officially known as the Fair Housing Act of 1968.

The Fair Housing Act prohibits discrimination in housing on the basis of: race, color, national origin, religion, sex. In the sale and rental or sell housing it is prohibited to refuse to rent or sell housing, refuse to negotiate for housing, make housing unavailable, deny a dwelling, set different terms, conditions or privileges for sale or rental of a dwelling, provide different housing services or facilities.

In 1988, the Fair Housing Amendments of 1988 were passed and expanded coverage of Fair Housing Act to prohibit discrimination in housing practices on disability and familiar status.



❖ **Where To File a Housing Complaint of Discrimination**

❖ **Zoom event hosted by KY Fair Housing Council**

If you feel like you have been discriminated against due to one or more of the seven protected characteristics of your:

- ❖ **RACE** – Your national origin refers to your birthplace, ancestry, language, and/customs It's illegal for a landlord to deny housing or treat someone differently in a housing transaction because of a person's name, appearance, accent or participation in customs with a nationality.
- ❖ **COLOR** – Color of your skin was one of the first protected characteristics covered by the Fair Housing Act ... discrimination based on your color of someone skin can occur: What is color discrimination color refers to the visible color of a person's skin this is whether a person's skin is light or dark. It's illegal in housing
- ❖ **DISABILITY** – In addition to strengthening Title VIII enforcement provisions, the 1988 Amendments also brought within its protective embrace two additional groups. One group being persons with physical or mental disabilities.
- ❖ **SEX** –It's the law it is illegal to discriminate on the basic of sex in the rental of housing. KHC promotes fair housing practices in the state and

WHAT IS AN EVICTION?

The landlord must give the tenant notice to leave. If the tenant doesn't leave, the landlord must go to court to get an eviction order. In Kentucky, an eviction order is called a Forcible Detainer Judgment. The landlord can't force the tenant to leave the home without an eviction order.

DOES KENTUCKY HAVE FUNDS TO AVOID EVICTIONS?

Team KY Eviction Diversion Program
Divert court evictions and keep Kentucky renters housed.
Allow landlords to receive payments for back rent for tenants allowed to remain in their units.

HOW TO AVOID AN EVICTION?

What is contact info for Team KY eviction relief fund?

For more information, questions regarding eligibility, or technical assistance with your online application, contact the Team KY Eviction Diversion Program (KY-EDP) via email at evictions@kyhousing.org or via telephone at 866-780-1840.

General Questions and Answers: Tenants and Landlords



Q. I have questions if I'm eligible for the program?

A. Questions can be answered by reviewing the detailed program information provided on the Team KY Eviction Diversion Program website; if you still have questions submit your questions to evictions@kyhousing.org.

Q. I'm having difficulty uploading required documents to my online application. How can I submit them another way?

A. To submit electronic copies of required documents, attach them to an email to EDPdocs@kyhousing.org. Include your name and address in the subject line of the email. If your attachments are cumulatively larger than 10MB, send them in multiple emails.

Q. What hours can I call the KY-EDP Support Line?

prohibits discrimination based on race; color; religion; sex; national origin; sexual orientation; gender identity; ancestry; age; genetic information; disability; or marital, familial or veteran status.

❖ **NATIONAL ORIGIN** – the Fair Housing Act prohibits discrimination based upon national origin. Such discrimination can be based either upon the country of an individual's birth or where his or her ancestors originated.

❖ **RELIGION** – Title VIII of the federal Civil Rights Act of 1968 is the primary federal law banning discrimination in housing accommodation because of race, color, religion, color, national origin, sex, disability, or familiar status.

❖ **FAMILIAR STATUS** - Under the Amendments, it is now illegal to discriminate against families with children. Familiar Status refers to any adult resident who has anyone under the age of 18 living with them. This could refer to biological children, adopted Children, grandchildren, foster children.

WHERE and HOW TO FILE A COMPLAINT OF HOUSING DISCRIMINATION?

❖ **Contact the local office of the Bowling Green Human Rights Commission**

❖ **Located at 491 Double Springs Road**

❖ **Bowling Green, KY 42101**

- A. A recorded message can be left at any time on the Eviction Diversion Program Support Line. Recorded voicemails left on the support line will be returned Monday-Friday, 8 am to 4:30 pm. All calls will be answered by voicemail and calls will be returned from the KY-EDP Support Line at 866-780-1840, so please be sure to answer the call.

Q. When should I expect a response to questions I submitted via email or voicemail?

- A. Please be patient with us and don't leave multiple messages. We can typically respond in 1-2 business days, depending on the volume of questions received. Please do not leave a recorded message on the Support Line if you have already submitted a question via email, as this can slow our response rate.

Q. I submitted a question by email many days ago but have not received a response.

- A. Check your email's spam/junk folder.

Q. Can I call the KY-EDP Support Line and ask that someone complete my application over the phone?

A. Not at this time. Due to the nature of the information required, applications can only be completed online. You can complete the application from either a computer or a mobile device.

If a tenant cannot access a smartphone or computer—or if they are elderly or disabled—a 3rd party person can help them apply. This could be family, a friend, a fellow church member, a caseworker, etc. The helper will be able to identify themselves as someone helping the applicant and provide contact information if more information is needed.

Q. I submitted my online application. How do I know if my landlord agreed to participate?

A. You can always check the status of your Application by logging back in. The system will the status of your application

Q. I submitted my application online, what type of response should I expect?

A. You are encouraged to check your application status and your email inbox to see if additional information or documents are required.

❖ **Walk-ins are welcome**

❖ **Email:**
bghumanrightscomm@gmail.com

chiquitasbhrc@gmail.com

❖ **Phone: 270-782-7900**

❖ **Fax: 270-782-6997**

❖ **Kentucky Fair Housing Council**



❖ **Email at**
mail@lexingtonfairhousing.com

❖ **Phone: 1- 859-971-8056**

❖ **U.S. Department of Housing and Urban Development (HUD)**



❖ **If you believe your rights may have been violated, we encourage you to report housing discrimination. Because these are time limits on when an allegation can be filed with HUD after an alleged violation, you should report housing discrimination as soon as possible.**

Q. How do you decide whom to pay first?

A. Lump sum payments to landlords will be made on a first-completed, first-paid basis. Once both tenant eligibility and landlord participation have been determined, they have reserved a place in line to receive payment or an emergency relocation voucher, if approved.

Q. My unit/tenant receives ongoing rent assistance from a federal program (Sec. 8, Public Housing, USDA-RD, HOME, etc.) but the tenant still must pay some rent. Is this eligible?

A. No. KY-EDP will not be able to assist applicants who are already receive another form of rental subsidy. Tenants should immediately request an interim income recertification so their monthly rent portion can be adjusted to reflect any loss of income or household changes.

Q. I live in/own a federally funded apartment, but my rent is not subsidized. Is this eligible?

A. KY-EDP CAN help tenants who simply live in income-restricted units built with HUD funding, USDA-RD funding, Low Income Housing Tax Credits, etc. If the tenant does NOT receive ongoing rent assistance— meaning they are responsible for all the rent—they ARE eligible for KY-EDP.

Q. My unit/tenant received temporary help with rent but still owes rent for other months. Is this eligible?

A. KY-EDP CAN offer assistance alongside other temporary assistance so long as it is not duplicating rent assistance for the same month. So, if a tenant received help from a church, another source, or the Healthy at Home Eviction Relief Fund to pay November rent, they can receive KY-EDP to assist with other months of rent. Our aim is to avoid DUPLICATION of assistance, but it's fine for KY-EDP to help alongside other assistance.



Q. What if the tenant and landlord are family members?

A. Those living with family and paying rent informally are not eligible. KY-EDP will allow leasing arrangements with family members, but only if there is a preexisting written lease, the tenant address is different from the landlord, and applicants can produce

When reporting housing discrimination, please provide as much information as possible, including:

- ❖ **Your name & address**
- ❖ **The name of the address of person (s) organization your allegation is against**
- ❖ **The address or other identification of the housing or program involved**
- ❖ **A short description of the event (s) that cause you to believe your rights were violated**
- ❖ **The date (s) of the alleged violation**
- ❖ **How to report Housing Discrimination**



- ❖ **FHEO Online in 10 various languages**
<http://portalapps.hud.gov/zfhe0903/Form903/Form903Start.action?>
- ❖ **Phone**  **We speak your language! Talk with an FHEO intake specialist by calling 1-800-669-9777**
- ❖ **You can also call your regional FHEO office at the phone numbers on this list (/program_offices/fair_housing_equal_opp/contact_fheo).**
- ❖ **Mail** 

evidence of a history of consistent rent payments and **there is an active eviction case against the tenant in eviction court.**

Definition of related parties: the spouse, parent, child, brother, sister, grandparent, grandchild, including steps, and in-laws; and any person cohabitating with a covered person, as well as any immediate family member related by blood, marriage, or adoption, but not distant relations such as cousins, aunts, uncles.

Q. Are rent-to-own or lease-purchase arrangements eligible?

A. A tenant in a rent-to-own or lease purchase arrangement may receive assistance **ONLY IF** the tenant and landlord have executed the Kentucky Standard Residential lease template available here and there is an active eviction case against the rent-to-own or lease-purchase tenant in eviction court.

Q. Are trailer homes and lots eligible?

A. Yes. Trailer home rentals are eligible. If a tenant owns their trailer but rents their lot, they may be eligible for assistance. Keep in mind that a lease is required—even for trailer lots and there must be an active eviction case against tenant in eviction court.

Q. My application was denied, and I wish to appeal. How do I do that?

A. Submit your request for an appeal to AppealsKYEDP@kyhousing.org. Be sure to include all information that might impact your appeal when submitting the completed form.

Q. I need help with an online application. Can someone apply for me?

A. Yes. If a tenant cannot access a smartphone or computer—or if they are elderly or disabled—a 3rd party person can help them apply. This could be family, a friend, a fellow church member, a caseworker, etc. The helper will be able to identify themselves as someone helping the applicant and can provide contact information if more information is needed.

Q. I don't have an active eviction case with the courts, can I still apply?

A. No. The EDP program can only assist applicants with a current active pending court eviction case.

- ❖ **You can print out this form**
- ❖ **(/sites/dfiles/OCHCO/documents/903.1pdf) also available in 10 languages**
- ❖ **Assistance for persons with disabilities**
- ❖ **HUD welcomes and is prepared to receive calls from individuals who are deaf or hard of hearing, as well as individuals with speech or communication disabilities. To learn more about how to make an accessible telephone call, please visit Telecommunications Relay Service**
- ❖ **(<http://www.fcc.gov/consumers/guides/telecommunications-relay-service-trs>).**
- ❖ **Assistance for persons with limited English Proficiency**
- ❖ **You can report housing discrimination in any language. For persons with limited English proficiency, HUD provides interpreters. HUD also provides a Spanish language version (<http://portalapps.hud.gov/FHE0903/Form903start.action?lang=es>) of the online report housing discrimination form.**
- ❖ **Retaliation is Illegal**
- ❖ **It is illegal to retaliate against any persons for making an allegation, testifying, assisting, or participating in any manner in a proceeding under**
- ❖ **HUD's allegation process at any time, even after the**

Q. I received prior assistance from the Healthy at Home Eviction Relief Fund (HHERF) or another ERA-funded program, can I still apply?

A. All KY-EDP applications will be reviewed to include any prior rental assistance an applicant may have received from the federal Emergency Rental Assistance Program (ERAP), which funded the HHERF program. For the duration of the EDP program, an applicant can receive a maximum of 12 months of assistance with a limit of 4 months of assistance per 12 months from the application date.

Q. My landlord refuses to accept any form of assistance, can I still apply?

A. Yes, you can still apply. EDP will still review application to determine if an applicant may be eligible for an emergency relocation voucher.

Q. What if all my back rent isn't covered by this program?

A. KY-EDP can assist with up to three (3) months past due rent and one (1) month future rent for eligible applicants. If you owe more rent beyond what KY-EDP can assist with, you can enter a payment plan with your landlord. If your landlord accepts a KY-EDP payment, they cannot evict you for remaining rent due until after the last month of paid assistance by KY-EDP, in accordance with lease terms, but they can still require you to pay that rent.

Q. I think I need legal assistance regarding housing/eviction. Where can I get help?

A. You may contact your local Legal Aid office or visit the Covid Legal Aid website at kycovidlegalhelp.org

At KFHC, the most common discrimination complaint we receive is based on disability. The majority of those incidents are related to a resident's mental health disability or illness.

To spread awareness on how fair housing can protect those with mental health disabilities, we've teamed up Dr. Megan Marks to offer this free virtual seminar to Kentuckians about how we can better respond to residents who are struggling with symptoms of mental illness.

investigation has been completed.

❖ **The Fair Housing Act also makes it illegal to retaliate against any persons because that person has reported a discriminatory practice to a housing provider or other authority.**

Types of Allegations investigated

❖ **FHEO investigates allegations, which may be one or both of the following types:**

❖ **Discrimination under the Fair Housing Act (including housing that is privately owned and operated)**

❖ **Discrimination and other civil rights violations in housing and community development programs, including those funded by HUD**

❖ **Discrimination Under the Violence Against Women Act**

