

## **NORTHWEST FAIR HOUSING ALLIANCE**

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FOR IMMEDIATE RELEASE

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### **Northwest Fair Housing Alliance Helps Domestic Partnered Couple Raise Awareness of Regional Lesbian/Gay/Transgender Housing Discrimination**

*SPOKANE, WA* – Mitch Cain and Michelle DeShane, a domestic partnered couple residing in Richland, Washington, filed a housing discrimination complaint with the Washington State Human Rights Commission (WSHRC) against the Richland Housing Authority (RHA) in April 2009 after Mitch was not permitted to add Michelle to his section 8 housing voucher as a family member. Michelle is a lesbian and Mitch was beginning the process of transgendering from female to male. After filing the complaint, the couple requested Northwest Fair Housing Alliance (NWFHA), a non-profit fair housing advocacy organization, to represent them in the complaint process. The complaint was resolved in a conciliation last month.

In 2008, Michelle, a former truck driver, was working and living in her truck. After an on-the job accident caused her to become disabled, Mitch, also disabled, and Michelle obtained their domestic partnership license so they could reside together as a family. When the RHA receptionist handed them the application to add Michelle to the voucher, she told them, “I don’t think we take your kind here.” When they attempted to return the completed application they were told that they should go to Benton County, “as those housing authorities, they accept everyone, even Martians.”

Mitch and Michelle were denied the opportunity to live together because RHA staff believed they didn’t meet the definition of “family”. RHA’s written policy defines “family” as: *Two or more person who intend to share residency whose income and resources are available to meet the family’s needs and who have a history (minimum of one year) as a family unit or show evidence of a stable family relationship or related by blood or marriage.* RHA took the position that a family did not include a Domestic Partnership.

In addition to disallowing Michelle to join Mitch’s household (resulting in her being homeless while she was recovering from surgery for the injury she sustained) RHA revoked Mitch’s housing voucher, maintaining he had not provided all necessary records. The couple dispute this, asserting they have documentation of everything they provided, and agreeing only that Mitch had not initially reported his daughter’s government benefits because he considered that to be her money. While the complaint was pending the couple asked to make payments on the resulting back rent owed, but RHA turned the matter over to a collection agency. During the

year that Michelle and Mitch's discrimination complaint was pending with the WSHRC, without a voucher, they struggled financially, and lost their car after they couldn't make loan payments.

In June a pre finding settlement was agreed upon by the parties, resolving the WSHRC housing discrimination complaint. To complicate matters, RHA was planning to dissolve as an entity that month, and Mitch and Michelle believed there would likely be no entity left from which to obtain recourse if they waited for a decision on their complaint from the WSHRC, and if favorable, referral to the Attorney General, and then an adjudication hearing. The conciliation agreement requires the debts referred to collection to be retracted by RHA and for Mitch's RHA file to be cleared so that he could qualify for voucher assistance from other housing authorities.

### **Historic HUD LGBT Listening Session In Spokane**

On June 26, 2010, a Listening Session on LGBT housing discrimination issues was held in Spokane by John Trasvina, Assistant Secretary of Fair Housing for the U.S. Housing and Urban Development (HUD). See

[http://portal.hud.gov/portal/page/portal/HUD/program\\_offices/fair\\_housing\\_equal\\_opp](http://portal.hud.gov/portal/page/portal/HUD/program_offices/fair_housing_equal_opp) for more details about this event.

Mitch and Michelle came to Spokane to testify about the housing discrimination they had been through. Mitch and Michelle do not feel that full justice was attained, given RHA's dissolution, but they are using their story to educate others about LGBT housing discrimination, in hopes that fewer people have to undergo what they experienced. They also testified in support of the addition of sexual orientation as a protected class in the federal Fair Housing Act. Representatives from fair housing agencies were also in attendance from the U.S. Dept. of HUD, WSHRC, Tacoma Civil Rights Commission, and National Center for Lesbian Rights (Wash. DC), NWFHA, and the Fair Housing Center of Washington.

Other members of the LGBT community testified after Mitch and Michelle. Testimony included stories of being told they would not be accepted due to not representing good family values, being subjected to different terms and conditions such as being asked not to display affection towards one another in public, and judging LGBT persons based on stereotypical behavior such as drug usage and domestic violence.

It is likely that many such experiences go unreported. As attested to by one lesbian woman who testified, some members of the LGBT community fear retaliation from homophobic landlords who possess personal information (provided in rental applications) about them, and therefore, do not pursue fair housing complaints as they fear landlords might attempt to impair their credit, contact and "out" them to employers, or misuse their social security numbers.

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Mitch and Michelle (standing). Christina Mitma, NWFHA employee, sitting front right. Photo courtesy of NWFHA.