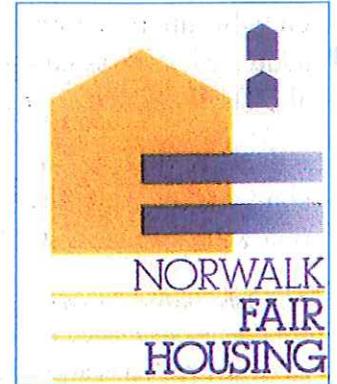


April 2007

# Fair Housing Means Don't Discriminate "Because of ..."

BY MARGARET SUIB

Fair housing laws (federal, state, and local) mandate that there be no discriminating in the sale, rental, or provision of services with regard to residential housing. Simply put, we can't discriminate "because of": because of someone's race, color, national origin, religion, sex, disability, family status (having children in the household), marital status, age, lawful source of income, or sexual orientation. With few exceptions, it is illegal to say or decide, "I won't rent or sell because they are Black, Latino, Jewish, female, have a disability, have children, are not married, are too old, don't have a job, or are homosexual." You'll recognize that these are all discriminatory reasons used to deny people equal rights in housing in the past, and, unfortunately, these forms of discrimination persist today.



Renting or selling a housing unit is a business, even if it's only one home, condo, or apartment. Therefore, business reasons for making decisions are proper reasons. If a tenant doesn't have enough income from whatever legal source, has poor credit, or has bad references, it's perfectly legal to refuse to rent to that person. But once personal information is considered, illegal discrimination usually follows: It makes no difference what color a tenant is, what religion or national origin, whether they are male, female, married, unmarried, gay, or straight. These are personal attributes, not business related reasons. If deciding based upon personal qualities, a landlord, property manager, realtor, condo, or co-op board has broken the law and is likely to be sued for housing discrimination.

*About the author: Margaret K. Suib, Norwalk's Fair Housing officer since 1996, is an attorney assisting residents in combating housing discrimination, and is Norwalk Redevelopment Agency's affordable housing coordinator. [msuib@norwalkct.org](mailto:msuib@norwalkct.org)*

August 2007

# Fair Housing Tutorial

BY MARGARET SUIB

Don't discriminate means treat everyone the same, right? Yes and no.

Most people know it's against the law to refuse to rent (or sell) a housing unit because of race, religion, or disability, to name a few. But did you know that if a resident has a disability, that person may actually have a right to special considerations that residents without disabilities are not entitled to receive? For example, a person who is blind and has a seeing-eye dog can rent an apartment even in a building that has a "no pets" rule. Why? An animal that assists a person with a disability, such as a seeing-eye dog, is not considered a "pet."



The usual fair housing rule is "treat everyone the same" so as to not discriminate. As with all legal concepts, there is an exception to the rule: when a person with a disability, because of the disability, needs something special or different (whether that change is in a rule, policy, practice, procedure, or physical modification of the housing), that request must be granted, unless it would cause an undue administrative and financial burden on the landlord or is outside of the services usually provided by the landlord.

Install an elevator in the building because I have a disability and can't climb stairs? No, this would be unduly financially burdensome. Please get my groceries because I have trouble shopping due to my disability? No, shopping is not usually a service provided by the landlord.

What kind of requests must be granted? Real examples include: A tenant with a disability requests an assigned parking spot close to the unit, but all spots in this complex are first come/first served—the landlord must assign the person with a disability a nearby spot (while non-disabled tenants don't get assigned spots); A tenant asks permission to install a wheelchair ramp in order to have access to the apartment—the landlord cannot say no; A tenant who, because of a heart condition, needs to be transferred from a third floor walk-up apartment to a ground floor apartment cannot be denied the transfer, even if the landlord's usual policy is "no transfers"; A tenant who, because of a disability, needs a live-in home healthcare aide cannot be told by the landlord that the healthcare aide can't live with the tenant (or worse, that the tenant doesn't really need that care); And a landlord cannot decide that instead of having an aide, an elderly tenant should move to a nursing home and then evict that elderly tenant. All these cases have arisen recently in Norwalk, the landlord or condominium association has not properly complied with the requests, and legal actions have been brought against them (yes, these laws apply to condominiums also).

*Fair Housing, continued p. 14*

Norwalk Beautiful, continued from p. 9

monumental, and in the end well worth the effort. Many thanks go out to all the volunteers for sharing their Saturday to make the neighborhood a safer, more attractive place to live.

This cleanup was initiated by one concerned citizen with a desire to see positive changes in his neighborhood, and was not afraid to invest some time and energy to see it through. The end results are magnified beyond the one-day event, as the property owner has agreed to be more vigilant with keeping this lot clean, the nearby neighbors are being monitored to prevent further abuse from the hillside, and a closer watch is being kept on this property to prevent future dumping.

There is a need, and more residents are inclined to take ownership of their surroundings by engaging in organized beautification events. To learn more about the *Keep Norwalk Beautiful* campaign contact the City's Neighborhood Improvement Coordinator at 854-7810, ext. 6782 or [dshockley@norwalkct.org](mailto:dshockley@norwalkct.org).

*About the author: David L. Shockley is the Neighborhood Improvement Coordinator for the Norwalk Redevelopment Agency. [dshockley@norwalkct.org](mailto:dshockley@norwalkct.org)*

---

North Walke, continued from p. 11

North Walke staff hope to kick off the *Homeownership Program* by the close of July 2007. At that time North Walke will advertise the availability of Program applications.

*About the authors: Mike Moore serves as the Norwalk Redevelopment Agency's Senior Community Development Project Manager. Mike holds a Bachelor of Arts and Masters of Public Administration from the University of Connecticut and is currently studying for his Masters of Business Administration at Fairfield University. [mmoore@norwalkct.org](mailto:mmoore@norwalkct.org)*

*Timothy J. Carney has been with the Norwalk Redevelopment Agency for the past 18 years and currently serves as the Agency's Housing Development Project Manager. Prior to his time with the Agency, Tim spent over 15 years in the construction industry and holds a degree in Civil Engineering Technology. [tcarney@norwalkct.org](mailto:tcarney@norwalkct.org)*

---

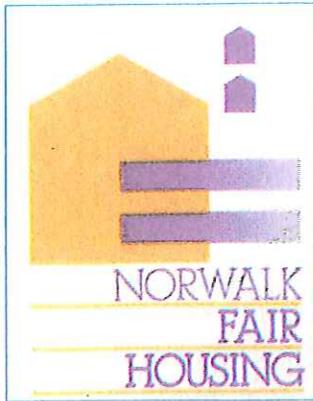
Fair Housing, continued from p. 13

If you are a landlord/condominium association being asked by a resident with a disability for a "reasonable accommodation" (change in rules, policies, practices or procedures) or a "reasonable modification" (change in the physical structure)—call Norwalk's Fair Housing Officer. It is especially important to understand this law (beyond what can be explained here) because the wrong question or decision can result in expensive legal claims. Ignorance of the law is never a defense. The good news is, complying with the law usually costs the housing provider absolutely nothing, and enables the resident with a disability to enjoy his or her home to the same extent as those without disabilities.

*About the author: Margaret K. Suib, Norwalk's Fair Housing officer since 1996, is an attorney assisting residents in combating housing discrimination, and is Norwalk Redevelopment Agency's affordable housing coordinator. [msuib@norwalkct.org](mailto:msuib@norwalkct.org)*

# Fair Housing Laws Protect Different Sources of Income

BY MARGARET SUIB



An elderly man can't rent an apartment because the landlord requires tenants to have full-time jobs, so that no one is "hanging around" the building. The man is retired, has social security and a pension, can pay the rent, but he is

refused because he doesn't work.

A woman calls about an apartment being advertised for rent. It sounds perfect for her and her children. The landlord asks, "Do you have Section 8." The prospective tenant replies "yes." The landlord says, "Sorry, I don't take Section 8" and hangs up the phone.

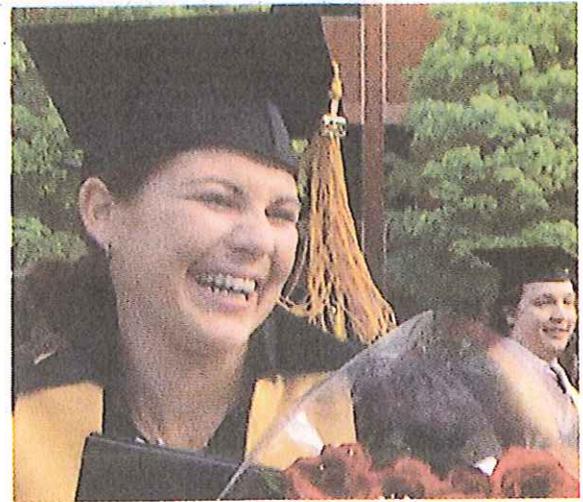
These situations arise every day in Norwalk even though Connecticut law prohibits discrimination because of "lawful source of income." What does this mean? It means that all legal sources of income are created equal. It means that his paycheck, her social security check, my disability check, your rent subsidy must be treated as equally acceptable by a prospective landlord.

Section 8, RAP, ShelterPlusCare, the state Security Deposit Guarantee Program, are all examples of lawful income under this law and that means landlords cannot refuse a tenant because they have any of the above types of income. When these tenants are refused, because of these sources of income, landlords are illegally discriminating.

This is one of the most common forms of discrimination, perhaps because of a lack of knowledge of

the law, perhaps because of negative stereotypes. Either way, it's illegal. ■

*About the author: Margaret K. Suib, Norwalk's Fair Housing officer since 1996, is an attorney assisting residents in combating housing discrimination, and is Norwalk Redevelopment Agency's affordable housing coordinator. [msuib@norwalkct.org](mailto:msuib@norwalkct.org)*



## Create Your Future @ NCC

Choose from more than 60 Associate Degree and Certificate programs. NCC offers small classes and a dynamic environment for lifelong learning and personal growth. Be part of a diverse student body that speaks 32 languages and hails from 63 countries. Get the knowledge and support you need to take on the world.

For information call 203/857-7060  
or [ncc.commnet.edu](http://ncc.commnet.edu)

NORWALK COMMUNITY COLLEGE  
188 Richards Avenue, Norwalk, CT 06854



February 2008

# Fair Housing Success Stories

BY MARGARET SUIB



What is a fair housing success story and how do we measure its value? Here are some examples of real cases in Norwalk.

**Number 1:** A young couple wants to rent a one-bedroom apartment in Norwalk.

They are from Kazakhstan (part of the former Soviet Union) and are Muslim. They have very good jobs, credit, and can easily afford the apartment. The landlord is nervous because they are Muslim and foreign and decides she would rather rent to an American, and only one person, not a couple. The couple is referred to Fair Housing by their Realtor®—the Fair Housing Officer explains to the landlord that since these prospective tenants can afford the unit and have good credit and references, it would be illegal housing discrimination to refuse to rent to them because of their faith or because of their birthplace. The landlord agrees to rent to these tenants, rather than face a housing discrimination claim. Six months later, the landlord calls the Fair Housing Officer to say what lovely people and tenants they are and how glad the landlord is she rented to them.

**Number 2:** A young woman is assaulted in her apartment. She suffers post traumatic stress. Her psychiatrist says she needs to live in another apartment, not the one where she was attacked. The landlord refuses to allow her to move to another apartment within the complex. Based upon her disability (post traumatic stress), the

Fair Housing Officer explains to the landlord that the tenant has to be allowed to transfer to another unit, as this is her medical need due to her disability, and that if the landlord refuses to allow her to move, the landlord will be committing housing discrimination. The landlord allows her to move and the tenant immediately feels better than she did in the apartment where the assault occurred.

**Number 3:** An elderly woman develops dementia. She needs the help of family members to accomplish daily tasks like bathing, getting dressed, and eating. Family members begin to help and stay with their mother, to take care of her. The landlord says that they are breaking the lease. The family requests the right to have one person stay with mom and take care of her. The landlord refuses the request, decides the lady should be in a nursing home, and evicts her. The Fair Housing Officer assists the family in getting an attorney to fight the eviction and for the right (as the law provides) to have a live-in aide for mom.

What is the value of a home of our choice, free from fear just because we are from a foreign country and a different faith, or a home free from the trauma of assault, or a home in which we are allowed to care for our elderly family member ourselves, instead of being forced to send her to a nursing home where care won't be as good?

Like the commercial says, for everything else there is a credit card. To be free from housing discrimination: *Priceless.* ■

*About the author: Margaret K. Suib, Norwalk's Fair Housing officer since 1996, is an attorney assisting residents in combating housing discrimination, and is Norwalk Redevelopment Agency's affordable housing coordinator.*

May 2008

# Predatory Subprime Mortgages and Foreclosure Frenzy

BY MARGARET SUIB

How is the subprime mess a fair housing matter? Studies have shown that the “bad” — or predatory — mortgage loans, with excessively high interest rates, disregard for the borrower’s ability to repay, and unwarranted, improper fees, were frequently targeted at minorities, people of lower incomes, and women. This happened nationwide, including in Norwalk.

Beginning in the late 1990s, this form of lending became the rage, for both banks and other lenders. Soon, advocates sounded like Chicken Little, hollering, “The sky will fall,” because these unduly expensive loans were designed to become even more expensive when teaser interest rates reset. There was no concern by the lending institutions if the borrowers would be able to afford these loans upon resetting. In fact, often the borrowers could not even afford the introductory teaser rate.

Advocates testified before Congress and wrote to banking regulators about the likely consequences of these loans: People not being able to afford their homes, losing homes in foreclosure, even more so if the real estate market went south, such that borrowers would not be able to sell to avoid foreclosure. We asked for more regulation, but the prevailing view was that a free market self-regulates (i.e., needs little or no supervision). The water was chummed, the sharks were feeding, there was no political will to protect the consumer. Wall Street was buying and selling these mortgages like penny candy and people were making unimaginable amounts of money. The little chicks who were saying, “The sky is falling,” were scoffed at and ignored.

Like many cons, it was a perfect arrangement: Deceive the consumer in an arena where everything is complicated. Professionals granted mortgage loans to people they knew couldn’t afford to repay them. They assured the customer that he/she could refinance down the road. The lenders banked on the idea that if everything went to heck in a hand-bas-

ket, a house with more equity (read that as “profit”) would become the lender’s property, to sell and lend on again, with more unconscionable rates and fees. As long as the real estate market appreciated, the lenders would win, regardless.

The brokers or loan officers received their money at the moment of closing. If a broker made thousands of dollars at closing, who cared what happened later? Sweet, sweet, sweet for all professionals, from Wall Street to Main Street. *The consumer: Who?*

Recently, a huge investment bank, Bear Stearns, was about to go bankrupt due to, literally, a run on the bank. It was caught holding the paper in the musical chairs game. The music stopped. The real estate market tanked. No one would buy these subprime loans anymore. A financial institution (an investment bank) — central to our economy — was in danger.

Consumers have been in danger for awhile with an ongoing political debate about whether or not government should rescue consumers from bad loans. A few programs have sprouted up this spring to help the consumer, but are much smaller than the demand or the need, and much smaller than the help granted to sophisticated banking institutions.

There was no debate prior to a Bear Sterns rescue, which was accomplished in about four days. The federal government (read “American taxpayers”) will help the sophisticated investment banks out of their knowingly speculative investment, to the tune of \$30 billion for the JPMorgan buyout of Bear Stearns, and approximately \$360 billion through April (with more promised) for commercial banks hurting from the credit crisis [per *Associated Press* on March 28, 2008], and access for all banking institutions to extremely low interest money.

See *Subprime*, page 10

Subprime, from page 3

So here's how it shakes out: The consumer was targeted with discriminatory, unaffordable loans, s/he was intentionally and falsely assured it would all work out, s/he trusted the professionals s/he dealt with, and s/he is in foreclosure, losing a home, and usually whatever equity s/he built up and his/her credit. Despite all that, the taxes s/he is still paying on income will bail out Bear Stearns and the next financial sophisticate who, after making hundreds of millions (or was it billions) of dollars on these loans, were caught holding the paper when the music stopped. According to CreditSuisse, the problem isn't over: Billions of dollars in mortgages will continue resetting from now until late 2011.

Today, there are a few places for the consumer to turn to for help in refinancing out of a predatory loan and perhaps keeping his/her home. We need the government to provide something greater, like

it is doing for investment and commercial banks. But here is what is available today: State of Connecticut "CT Families" program (by Connecticut Housing Finance Authority): 1.860.571.3500, HOPE NOW (HUD approved) 1.888.995.4673, and FHA Secure (federal government) 1.800.225.5342.

Maybe we will pass new laws too, regulating banks and other lenders so that this doesn't happen again. Even the chairman of the Federal Reserve Bank of New York testified before Congress, on April 3, 2008, that such regulation is needed. There's no real room for debate since it is now obvious that the lack of regulations wasn't prudent and the free market did not provide the necessary constraints. ■

*About the author: Margaret K. Suib, Norwalk's Fair Housing officer since 1996, is an attorney assisting residents in combating housing discrimination, and is Norwalk Redevelopment Agency's affordable housing coordinator.*

**SONO REDEVELOPMENT  
"WEST PINE PLACE"**



 **M.F. DiScala  
& Company, Inc.**  
Real Estate Investment Bankers & Consultants

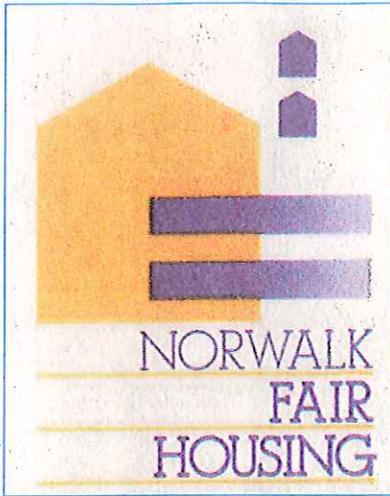
**AN M.F. DISCALA & COMPANY DEVELOPMENT**

700 Wall Street  
Norwalk, Connecticut 06850  
Tel: (203) 854-4040  
Fax: (203) 854-9240  
E-mail: MFDiScala@DiScala.com  
Web: www.DiScala.com

August 2008

# Slow Progress in Ending Discrimination

BY MARGARET SUIB, ESQ.



I previously practiced commercial litigation, including representing corporations in employment discrimination cases, writing personnel policies, and training managers in how to hire, promote, demote, and fire employees.

After 25 years as an

attorney, with 20 years in the areas of employment and housing discrimination, the question is, what progress have we made?

It's rare today that someone would say, "I won't hire you" or "I won't rent an apartment to you" because you are black or because you have a disability (it is, of course, still thought). I've been told I couldn't rent an apartment because I was a single mother and didn't have a husband to fix things—two forms of housing discrimination in one statement (familial and marital status). Landlords have told me that they wouldn't rent to a tenant because the tenant had Section 8, utilized the security deposit guarantee (from the state), was too old, too unwell, had too many children, was from another country, or was Muslim. Those all constitute illegal housing discrimination (source of income relating to the first two examples, age, disability, familial status, national origin, and religion).

I have been denied equal pay for identical jobs ("You don't need as much money as a man"). I've been told I'm unqualified for various jobs and then watched younger, less qualified men get hired for the very same jobs (both age and gender discrimination).

The modern era of anti-discrimination laws commenced with the Civil Rights Act of 1964 (among other things, outlawing segregation and discrimination in federally funded activities and prohibiting sex discrimination in employment), followed by the federal Fair Housing Act in 1968, (amended in 1988). None of that is new. But discrimination has old roots, which have burrowed down deeply and strongly, persisting in our jobs and housing, continuing to damage our psyche and the economy.

Employment and housing discrimination further segregate our neighborhoods, limit people's ability to contribute to their communities, keep upper management in companies predominantly (if not exclusively) white and male, impede people from fully contributing to their family's economic well-being and their company's bottom line, and inhibit people from rising to their full potential.

Discrimination has enormous emotional costs. Being unwelcome, or thought incapable, "because of," finding housing or job opportunities limited "because of," is extremely distressing. When someone emotionally scalded by discrimination challenges the conduct, pursues legal remedies, we all benefit. Learning not to discriminate through litigation is the most expensive way to learn. Other options

See *Ending Discrimination*, page 12

**ON THE COVER:** Created by Oxygen Design of Norwalk, this concept was recently used for the Norwalk Redevelopment Agency's 2008 Annual Reception held at Galerie SoNo on Washington St. Oxygen Design owner and creative director, Scott Kuykendall, provides clients with communications to improve business image and performance. Services include art direction, web/graphic design and production, as well as project and account management services. More of Oxygen Design's work can be seen at [www.o2design.biz](http://www.o2design.biz).

### Ending Discrimination, from page 3

include calling Norwalk's Fair Housing officer for information before deciding not to rent, sell, or otherwise engage in a housing-related transaction.

Forty-four years after the enactment of the Civil Rights Act of 1964, employment discrimination persists. Forty years after the federal Fair Housing Act became law, we're still rooting out housing discrimination. That's excruciatingly slow progress, but still, progress is being made. ■

*About the author: Margaret K. Suib, Norwalk's Fair Housing officer since 1996, is an attorney assisting residents in combating housing discrimination, and is Norwalk Redevelopment Agency's affordable housing coordinator.*

### Affordable Housing, from page 7

people between the ages of 18 and 25 years of age are the lifeblood of the State. Without them, industry and service organizations will not be able to survive. Affordable housing will help to keep them here.

Yes, Norwalk has done a lot in the past for affordable housing. We currently have over 3,700 affordable or assisted units in Norwalk. Each year when the Redevelopment Agency prepares its annual plan it receives public comments from the residents of Norwalk. Each year "affordable housing" tops the list of what residents feel Norwalk needs most. ■

*About the author: Timothy Carney is the Norwalk Redevelopment Agency's housing development project manager.*

### Reed Street, from page 9

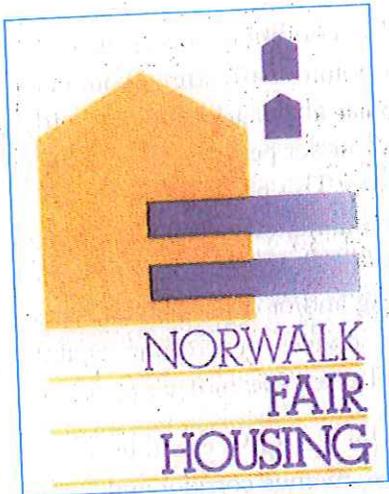
ously building a bridge to support the railroad. As seen in the picture above, the active Danbury branch track has been stabilized through a combination of soldier piles, lagging, and two tiers of grouted earth anchors, that extend 70 feet into the earth, thereby providing temporary support while the existing embankment is excavated for the new abutments and superstructure for the two easternmost tracks and the new roadway. Bridge abutments supporting the new rail underpass will themselves be supported by a system of 170 micro-piles installed to a depth of 85 feet in the ground. This process is currently underway on the east side of the project. In the initial construction phase, the two tracks at the east side will be constructed. Once this initial phase is completed, work will switch sides and the active train line will move to the new tracks, while the remaining west track is disassembled and the new section of the bridge is constructed. The project is expected to be completed by June of 2009.

In summary, there was much to be excited about at the groundbreaking as it represents an important step forward, not only for the Reed Putnam Project but for the future of the city and its infrastructure in the coming decades. ■

*About the author: Jack Burrill is the assistant director of the Norwalk Redevelopment Agency.*

November 2008  
**Blaming Grandma**

BY MARGARET SUIB, ESQ.



Whose fault is the current economic mess, anyway? We are mired in the midst of the worst financial crisis since the Great Depression. The most worrisome claim is that it is the fault of minorities (which includes women

and the elderly) and low income people. Such statements, when associated with housing, are fair housing concerns.

Many of us knew that the day would come when the predatory lending mess would hit the proverbial fan. We begged regulators, like the FDIC and the Federal Reserve, to use existing laws to regulate irresponsible lending. We pleaded with Congress to add regulations for non-bank lenders (mortgage companies, for instance) who operate outside of traditional banking laws. It was obvious that lending without regard to ability to repay is disastrous, or that lending 100 percent or even 110 percent of the value of the property is irresponsible. But nothing was done to address these issues because the mantra of the day was "the market will take care of itself."

It didn't.

Who is to blame? Lenders? Regulators? Wall Street (which financed predatory lending by purchasing and selling predatory loans)? Politicians

who supported the decisions not to enforce and/or pass new consumer protection and banking laws? The blame can surely be shared by all.

One thing that is certainly not the cause of this problem is the Community Reinvestment Act ("CRA"), a federal law passed in 1977. It is greatly oversimplified to say (but sufficient for this purpose) that CRA was passed so that banks would be required to loan in the areas from which they take deposits, including lower income and/or minority areas.

CRA loans can be for homeownership, small business or other types of loans. CRA requires banks to evaluate the credit needs of the community in question, and to responsibly make loans that address those needs. Norwalk's banks have done substantial successful CRA lending here, including helping to fund various homeownership programs and small business loans. On a national level, more than \$4.5 trillion has been invested in our neighborhoods since CRA's inception, according to the Washington D.C. based National Community Reinvestment Coalition.

Lending by traditional banks under CRA has been ongoing for more than 30 years. The explosion in subprime and predatory lending happened between 2001 and 2006. CRA had nothing to do with the current crisis. In fact, CRA penalizes banks for irresponsible and/or predatory lending.

It is estimated that nonbank lenders — such as independent mortgage lending companies and bank affiliates and subsidiaries that are outside the

See *Grandma*, page 14

*Rebuilding, from page 7*

West Avenue corridor. This rather is a genuine question to the Norwalk community about the acceptability of having no central business district, about having a downtown that delivers less than \$2.15/square foot in revenue (against a healthy national average of about \$4.50/square foot) translating into current tax revenues of \$1.3 million/year against a potential of \$13.7 million/year serving to fund new fire engines, police services, school upgrades, park improvements, and the like throughout the community.

*Grandma, from page 8*

scope of existing regulation — may have originated 75 percent or more of the problematic subprime loans. Even more telling, a study released by the Center for Community Capital at the University of North Carolina at Chapel Hill indicates that similarly situated people (similar financial profiles) were three to five times more likely to end up in foreclosure when they got a high cost subprime mortgage than when they got a CRA-induced bank mortgage.

Blame abounds for all. Congress will surely rethink and implement new regulations — shutting the barn door after the golden parachutes

*Avalon, from page 13*

ground floor retail, and restoring a significant residential population to this almost exclusively commercial area. And with increasing interest in transportation alternatives for Norwalk's rapidly developing urban corridor, the project co-locating with Norwalk's northern transit hub (the "Wheels" station) also makes it a textbook transit oriented development (TOD). The understanding of agency staff is that the work currently being done at the site is of an environmental nature. Following the necessary clearance of all environmentally sensitive materials, demolition will get

The mayor is responsibly discussing immediate budget cuts to prepare for short-term reduced revenues, but who is talking about (or demanding) potential long-term permanent sources of increased revenues? Certainly that should be the basis for responsible community dialogue about the work of the Redevelopment Agency to bring investment into the downtown. The Norwalk community needs to support a commitment to investment in the future economic stability. ■

*About the author: Susan Sweitzer is Senior Project Manager for the Norwalk Redevelopment Agency.*

have already escaped. The market will be regulated.

But there is no basis for blaming the targeted victims of predatory lending, i.e., minorities, women, and the elderly. I don't hear anyone blaming Grandma for the global economic crisis because that would be absurd. It is equally absurd to blame the other targeted victims or to blame an unrelated, 30+ year old successful CRA law. ■

*About the author: Margaret K. Suib, Esq., Norwalk's Fair Housing officer since 1996, is an attorney assisting residents in combating housing discrimination, and is Norwalk Redevelopment Agency's affordable housing coordinator. [msuib@norwalkct.org](mailto:msuib@norwalkct.org)*

underway followed by excavation and foundation work. If all goes according to plan, the project will be complete in late 2009/early 2010. But why take our word for it? You can view — and keep tabs on — this vision yourself the next time you drive uptown in Norwalk: a new major development project, under construction, in Wall Street. ■

*About the author: Munro Johnson grew up in Wyoming and moved east at age 15 where he discovered cities. He holds a Masters degree in City Planning from the University of Pennsylvania and is a member of the American Institute of Certified Planners. He lives in Norwalk's Golden Hill neighborhood. [mjohnson@norwalkct.org](mailto:mjohnson@norwalkct.org)*

April 2009

# Foreclosure Rescue: The Latest Scam

BY MARGARET SUIB, ESQ.



Thieves intent on stealing your home have returned. Previously, they enticed us into predatory mortgages. Now, when millions of families are facing foreclosure because of predatory loans, falling property values, or job loss, they are here to "help" you again. **WARNING:** They will help you right out of your home!

The most common scams involve payment of an upfront fee (from \$500–\$5,000). Other trouble indicators are statements like: "Stop Foreclosure Now!", or "We guarantee to stop your foreclosure." If you are told not to pay your mortgage to your lender, not to talk to a lawyer, not to speak to a credit counselor, but to let the "rescuer" handle "all the details," alarm bells should ring. He/she might even say, "Pay me the mortgage and I'll pay the bank while I negotiate your deal." In fact, the bank doesn't get paid, the scammer takes your mortgage payments and disappears, while the bank forecloses.

Sometimes the scammer convinces people to sign over the deed, telling a family they can rent their home, and buy it back later, when their finances are better. The buy-back option never materializes and

the family ends up evicted.

Even people not in foreclosure get scam notices. I got a notice that appeared to be from my mortgage lender (a national bank). It said I might be eligible for a loan modification that could help me get caught up. Caught up? I'm not behind. Upon close inspection, it wasn't from my bank. Other scam notices may say "Stimulus Plan 2008" on them, or even claim to be from the government, especially "HUD."

How do you find real assistance? Start with the website [www.MakingHomeAffordable.gov](http://www.MakingHomeAffordable.gov) and click, in the lower left hand corner, on "Beware of Foreclosure Rescue Scams—Help is Free!" From there, you can access HUD's approved list of FREE counselors. If you decide to go directly to HUD, be SURE that you go to [www.hud.gov](http://www.hud.gov). Any other ending (.com, .net, or .org) may be a scammer. By phone, you can call toll free the Homeowner's HOPE Hotline at 1-888-995-HOPE for FREE foreclosure counseling assistance. ■

*About the author: Margaret K. Suib, Esq., Norwalk's Fair Housing officer since 1996, is an attorney assisting residents in combating housing discrimination, and is Norwalk Redevelopment Agency's affordable housing coordinator. [msuib@norwalkct.org](mailto:msuib@norwalkct.org).*



The Greater Norwalk Chamber of Commerce recently held a members breakfast at which West Hartford Mayor Scott Slifka related the positive effects that Blue Back Square has had on his community. Norwalk's planned Waypointe project along West Avenue, is designed to provide similar mix of retail, health, office, and residential living. Here, Mayor Slifka is greeted by Stanley Seligson, CEO of Seligson Properties, the developer of Waypointe.

August 2009  
**Annual Fair Housing Event Successful!**

BY MARGARET SUIB, ESQ.



Norwalk's Fair Housing Advisory Commission's 2009 event, co-sponsored by the Norwalk Branch of the NAACP, was the showing of the documentary movie, "Brick by Brick: A Civil Rights Story," followed by a discussion

among the viewers. The movie portrays the history of a fair housing lawsuit against the city of Yonkers, New York. It evokes strong reactions and interesting discussions.

In Yonkers (as in other places), housing segregation

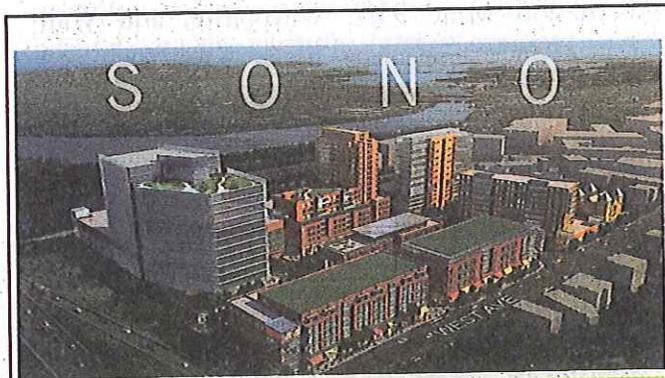
was aided and abetted by private action, in particular, real estate agents showing people of color homes only in certain neighborhoods, and government action, in particular zoning regulations and locating lower income housing in a tiny geographic area (one square mile). Consequences of these actions included segregated public schools and segregated neighborhoods, the black and white neighborhoods separated by an actual wood fence.

A lawsuit was commenced in federal court against the city of Yonkers in the 1970s and for more than 20 years thereafter, the city fought the desegregation of its schools, and, to a greater degree, the desegregation of neighborhoods. The judge and lawyers involved received death threats, a mayor committed suicide, the city was ripped apart by anger and strife.

School desegregation orders were implemented first. Finally, last year, some neighborhood desegregation was accomplished by scattering new townhouse-style lower income housing throughout various neighborhoods in Yonkers.

The movie is composed of interviews, news footage and actual city council meetings, with both elected officials and residents of Yonkers vowing to defy the federal court orders even to the point of bankrupting Yonkers and going to jail for contempt of court.

Norwalk Fair Housing purchased the movie and we are permitted to and interested in showing it to groups. We hope to have an evening showing in the fall, and would especially like to show it to school groups (high school or college) to be followed by discussion. If you are interested in having this movie shown to your group, please contact Norwalk's Fair Housing Officer.



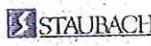
- + 13 acres with 1.1 million square foot mixed-use development
- + Strategic location at Intersection of I-95 and Route 7 with easy access by car or train
- + Cutting-edge technology with environmentally sustainable "green" construction
- + Vibrant community life with office, retail, restaurants, hotel and residential buildings on site

[district957.com](http://district957.com)

For Office Space: For Retail Space:



Sean Cahill  
 (203) 352-8917  
 Tom Pajolek  
 (203) 352-8914  
 Susanne Dengenis  
 (203) 352-8920



Patrick Smith  
 (212) 710-5240  
 Christa Minogue  
 (212) 710-5247



Spinmaker

See *Fair Housing*, page 16

Connectivity, from page 6

pedestrian connections in terms of sidewalks and crosswalks that are user-friendly, complementary and accommodative to the uses that adjoin them, and functionally serve to encourage pedestrian mobility between and among the projects are an essential part of the equation. Pedestrian connections should allow for ease of transition from one mode (walking) to another (transit). Provisions for cyclists need to be incorporated into the system of connections through bike lanes and bicycle racks, also recently added in downtown. Certain natural connections need to be reinforced such as walkways along the river and established where they do not exist.

In summary, connections need to be considered as an integrated system of opportunities to rein-

.....  
Fair Housing, from page 8

Fair Housing remains a relevant topic and this movie reminds of us of how far we've come and the important work we need to continue to do to make our communities more integrated and inclusive. ■

.....  
Volunteers, from page 9

Pepperidge Farm employees just prior to Memorial Day. The EMCOR Group Inc. planted flowering plants and beautified Ludlow Commons, the senior citizen housing facility in East Norwalk, and PepsiCo employee volunteers conducted similar beautification efforts at the Broad River Homes senior citizen housing facility on New Canaan Avenue in Norwalk.

By each volunteer providing several hours of service to the community, this large number of volunteers has been able to achieve great success. There are far too many persons to recognize, however it is important to acknowledge two impressive youth groups who demonstrated that they keenly understand the need to protect our environment by keeping our shorelines, parks, and open spaces

force the cohesiveness of the area. While the city of Norwalk has started to recognize the importance of this planning concept, there are many more opportunities and there is much work to be done to fully realize the benefits that accrue to the community from connectivity among the projects. Thus, connectivity is not just an esoteric "planning term", rather it is a way of thinking about community and how we want to function within the community we are creating. ■

*About the author: Jack Burritt is the assistant director of the Norwalk Redevelopment Agency. He has been with the Agency since 1985, during which time he has been involved with the redevelopment of South Norwalk, the City's arts and entertainment district, as well as the City's award winning Facade Improvement Program. He is a graduate of Rutgers University with a Masters degree in City Planning from Northeastern University in Boston. [jburrill@norwalkct.org](mailto:jburrill@norwalkct.org).*

.....  
*About the author: Margaret K. Suib, Esq., Norwalk's Fair Housing officer since 1996, is an attorney assisting residents in combating housing discrimination, and is Norwalk Redevelopment Agency's affordable housing coordinator. [msuib@norwalkct.org](mailto:msuib@norwalkct.org).*

clean. Girl Scouts of Connecticut, Inc., Norwalk Troop 50464, and the girls dance group "Won Mynd," which is comprised of Brien McMahon High School students, gave up four hours of a Saturday morning in May to clean Wall Street and the surrounding sections of the Norwalk River shoreline. Their understanding of the negative impact litter and debris has on our environment combined with their high level of enthusiasm for this project is most impressive. Thank you Keep Norwalk Beautiful volunteers!

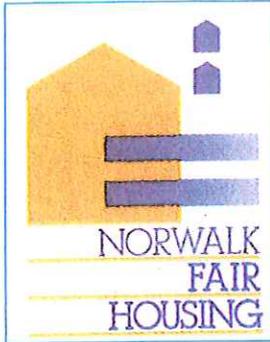
For more information on Norwalk's Keep Norwalk Beautiful campaign contact the city's Neighborhood Improvement Coordinator, David L. Shockley at [dshockley@norwalkct.org](mailto:dshockley@norwalkct.org) or 854-7810 ext. 46782. ■

*About the author: David L. Shockley is the Neighborhood Improvement Coordinator for the Norwalk Redevelopment Agency. [dshockley@norwalkct.org](mailto:dshockley@norwalkct.org).*

October 2009

# \$50+ Million Dollar Landmark Fair Housing Case Recently Settled

BY MARGARET SUIB, ESQ.



Fair Housing and affordable housing are terms that are often used interchangeably. A landmark federal lawsuit, *United States ex rel. Anti-Discrimination Center of Metro New York, Inc. v. County of Westchester* (“Westchester case”), settled in August 2009 and receiving final approval by Westchester in September 2009, addresses both fair housing and affordable housing.

In the Westchester case, a fair housing advocacy group claimed that Westchester County, NY, made “false claims” under the federal False Claims Act of 1863, a law initially intended to redress the fraudulent claims for payment that were being made by private contractors during the Civil War.

Specifically, the lawsuit alleges that Westchester County, in seeking federal Community Development Block Grant Funds (“CDBG funds”), annually certified that it was “affirmatively furthering fair housing,” a prerequisite to receiving CDBG funds, but that it was not, in fact, doing so. Rather, it alleges that Westchester was focusing on affordable housing, without due consideration as to fair housing (discrimination) issues and racial segregation, in particular. The remedy, under the False Claims Act, would be, at a minimum, the return of the CDBG funds received, here, in excess of \$50 million. Westchester denied any falsity or wrongdoing.

Prior to settlement, in its partial summary judgment ruling, the Court found that Westchester’s analysis of impediments to fair housing choice focused, wrongly, “... through the lens of affordable hous-

ing, rather than fair housing and its focus on protected classes such as race.” The Judge noted, among other things, that Westchester didn’t analyze racial discrimination or segregation patterns, did not challenge resistance to affordable housing, and did not study how its use of funds impacted racial segregation.

In the settlement, Westchester agreed to spend more than \$50 million for the development of affordable housing, the vast majority of which must be in towns and villages where the black population is three percent or less, and the Hispanic population is under seven percent — places such as Bedford, Bronxville, Eastchester, Hastings-on-Hudson, Harrison, Larchmont, Mamaroneck, New Castle, Pelham Manor, Rye, and Scarsdale. Westchester committed to taking legal action against any towns that fail to cooperate or hinder this affordable housing development, and to making sure these homes are marketed to minorities in Westchester and New York City. Westchester will also properly analyze barriers to fair housing, especially race and municipal resistance.

According to Westchester County Board of Legislator’s Media Center release of September 23, 2009, the county board approved the “landmark fair housing settlement agreement and bond act” after careful consideration of various things, including an “internal analysis” showing that its risk of an adverse verdict and damages could run in “... a range of \$180–\$200 million dollars on the low end, and up to \$540 million dollars on the high end ...”.

In the Department of Housing and Urban Development’s (HUD’s) press release, Deputy Secretary Ron

*See Fair Housing, page 14*

Railroad, from page 3

port economic development. Public sector investment of this type is essential to the city's long term economic health, ensuring that the most basic elements of infrastructure, namely streets and utilities, are in place and properly sized to support future development in those areas that the city has identified for economic growth. To the extent that the West Avenue Corridor represents the core of the city, it is a priority area for investment in infrastructure improvements that are necessary precedents, not only to attracting growth, but directing such growth into the areas designated by the city policymakers.

With the substantial completion of the railroad underpass, the city and its contractor for Phase II of the improvements, Deering Construction of Norwalk, have turned their attention to the next phase of the project that will include widening of West Avenue, and upgrades to the I-95 and Route 7 on and off ramps in the vicinity of the Reed Putnam project. In addition to upgrading the existing roadways and streetscape, this phase of the work will replace and increase the capacity of storm drainage and sanitary sewers, as well as gas, elec-

*It is critical to the long range planning and development of Norwalk that the city use this opportunity to better position itself for the next upturn in the economic cycle.*

tric, and water service in a critical core area of the city. These are oftentimes unseen and unrecognized improvements that are essential to attracting new development in the 21<sup>st</sup> century. The West Avenue work will extend over a 24 month period providing employment and engaging numerous local subcontractors to complete the project.

While the economic cycle grinds its way through the current downturn, it is critical to the long range planning and development of Norwalk that the city use this opportunity to better position itself for the next upturn in the economic cycle. Therefore, it is with this goal firmly in mind that the completion of a new railroad bridge and commencement of road improvements on West Avenue represent important milestones worthy of celebration.

*About the author: Jack Burritt is the assistant director of the Norwalk Redevelopment Agency. He has been with the Agency since 1985, during which time he has been involved with the redevelopment of South Norwalk, the City's arts and entertainment district, as well as the City's award winning Facade Improvement Program. He is a graduate of Rutgers University with a Masters degree in City Planning from Northeastern University in Boston. [jburrirt@norwalkct.org](mailto:jburrirt@norwalkct.org).*

Fair Housing, from page 8

Sims is quoted as saying: "The resolution of this case is a positive step toward creating new housing opportunities and advancing integrated residential patterns in Westchester County. This settlement reflects an approach to equitable development in suburban areas that can serve as a model for build-

ing inclusive, diverse, and sustainable communities across the country."

*About the author: Margaret K. Suib, Esq., Norwalk's Fair Housing officer since 1996, is an attorney assisting residents in combating housing discrimination, and is Norwalk Redevelopment Agency's affordable housing coordinator. [msuib@norwalkct.org](mailto:msuib@norwalkct.org).*

May 2010

# Fair Housing and Affordable Housing

BY MARGARET SUIB, ESQ.



What is affordable housing? Are affordable housing and fair housing the same thing? How do they differ and do they relate to each other?

Fair Housing is a body of law prohibiting illegal discrimination in housing,

with a goal of furthering the integration of our housing markets and neighborhoods. In order to realize the goals of fair housing, a community must have, as part of its housing stock, housing that is affordable to not only families of the greatest means, but also to those of more modest means, including those in low and middle income jobs, seniors, and those with disabilities.

Affordable housing is housing that is, well, affordable. That word leads to a lot of confusion, because we tend to define it subjectively. Can we make it less confusing, and give it a standardized meaning? In Norwalk, we tend to use the State of Connecticut's definition of "affordable housing."

Under Connecticut General Statutes Section 8-30g (and following), affordable housing is defined as housing that is restricted by covenant or deed restriction, and it requires that the housing units be sold or rented only at or below certain prices, and only to persons whose household incomes meet or are below certain levels. More precisely, the definition limits the percentage of income a household spends on its housing to no more than thirty percent (30%), and puts a ceiling on the income of households that will be eligible for the affordable housing, with total income less than or equal to eighty percent (80%) of the

Area Median Income ("AMI").

How does that translate today, into real numbers, in Norwalk? First, it's a moving target, because median income changes over time. However, in 2009, the AMI for the area that includes Norwalk was approximately \$122,000 (for a family of four). Eighty percent of \$122,000 is approximately \$96,000. Therefore, we could be talking about "affordable housing" for families earning up to \$96,000.

That's well more than I earn, and not, therefore, what I would call "affordable." Therein lies the danger of using our own situation as the benchmark for "affordable."

Sometimes, the target income group for affordable housing in Norwalk will be those earning sixty percent (60%) of AMI — in other words, \$73,000 or so per year for a family of four and, even less frequently, for those earning less.

"Affordable," therefore, is not necessarily affordable, at least not to each of us. It can and usually is a patchwork approach. Different developments target different income groups, with different sources of subsidy. They all share the goal and effect of increasing housing opportunities in different parts of the city for different people. More housing stock, available to more income groups, in more parts of the city is how affordable housing intersects with the desegregation goal of fair housing. ■

*About the author: Margaret K. Suib, Esq., Norwalk's Fair Housing officer since 1996, is an attorney assisting residents in combating housing discrimination, and is Norwalk Redevelopment Agency's affordable housing coordinator. [msuib@norwalkct.org](mailto:msuib@norwalkct.org).*

# Residential Racial Patterns in Norwalk over 30 Years

dg

BY MARGARET SUIB, ESQ.



How has Norwalk changed over the last few decades, especially regarding our racial make-up and where we live? The Fair Housing Act of 1968 envisioned ending segregation in our society. The question is, how are we doing?

American Community Survey data, provided by the U.S. Census Bureau, states that in 2008 Norwalk was 74.1% White, 12.8% African American/Black, 4.0% Asian, 7% “Other Race,” and 23% Hispanic (of any race). 98.2% of us identified ourselves as being of one race, while 1.8% said we were of two races.

In 1984, Norwalk’s minority population was 23.2% of the total population. In 2008, the minority population is approximately 25.9%.

According to 1980 census data, 66.4% of Norwalk’s non-White population lived in census tracts 445, 444, 441, 440, 437, and 434.

Norwalk’s Consolidated Plan (“ConPlan”) for 2010–2014 uses recent census data to describe

Census Tract	Low/Moderate Income %	Minority %
441 (South Norwalk)	75.24	55.60
445 (Springwood)	69.74	69.20
437 (West Avenue/Wall Street)	67.19	46.90
440 (Flax Hill)	65.48	50.10
434 (Tracey School area)	54.93	45.90
438 (Norwalk Hosp. – Kendall School)	54.58	41.00
444 (Woodward Avenue)	53.11	64.90

those same census tracts as listed in the table at the bottom of the previous column.

As stated in the Con Plan, out of a total of 22 census tracts:

“Eight census tracts in Norwalk have a minority concentration of more than 30% and four [of those] census tracts are over 50% minority. Note that the top seven census tracts in terms of low–mod population are also the top seven in terms of minority concentration.”

Norwalk’s census tracts that are least integrated and lowest income have remained so for approximately three decades. The census tracts identified in the table are also known as the “core” census tracts, meaning those that make up the urban core of the city.

Data such as this shows us that the vision of the Fair Housing Act — an integrated society — is still far from realized. Norwalk’s Fair Housing Advisory Commission will sponsor a community presentation and discussion in September to examine Norwalk’s policies, including zoning and the development of housing opportunities city-wide, so that we can begin to impact the persistent economic and racial segregation in our community, on the path to a more perfect union. ■

*About the author: Margaret K. Suib, Esq., Norwalk’s Fair Housing officer since 1996, is an attorney assisting residents in combating housing discrimination, and is Norwalk Redevelopment Agency’s affordable housing coordinator. msuib@norwalkct.org.*

ec

# More Than One Million Reasons . . .

BY MARGARET SUIB, ESQ.



The Fair Housing Advisory Commission's "Fair Housing: A Community Conversation" event on September 22, 2010, was a well attended luncheon presentation by Erin Kemple, Esq., executive director of the Connecticut Fair Housing Center.

Ms. Kemple outlined the issues and data we should examine to see how we're doing in our quest to end housing discrimination and segregation, the purposes of the federal Fair Housing Act. This self-examination is required by HUD, so long as Norwalk accepts HUD money, including nearly \$1,000,000 in Community Development Block Grant funds. Thus, we have one million reasons to honestly examine fair housing issues in Norwalk, in a document called "Analysis of Impediments to Fair Housing Choice" (AI), drafted every five years, including right now. Things Ms. Kemple pointed out that should be analyzed and planned for in the AI include: Look at our neighborhoods and identify areas of racial segregation, then formulate plans to end that segregation; analyze and identify any resistance to integration based on race, national origin, religion, and other protected classifications and, again, plan to address that resistance; take a historic look at patterns of segregation, especially by race, ethnicity, disability status, and families with children, and identify how that segregation and restricted housing supply occurred, including historical and current governmental policies that either caused or further residential segregation; take a look at the housing stock — how much is ownership and

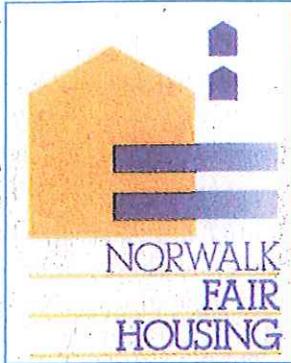
rental, what is the current demand and the demographics of the people living in each, and then propose plans to meet the needs. For example, if, as is the case in Norwalk, more than 55 percent of renters are cost burdened (spending more than 30 percent of income on rent), what are the demographics of those renters; in which neighborhoods do they live; are those neighborhoods racially, ethnically, by disability, or family status more segregated than others; and what can we do to address what we find? Adding affordable housing is part of the answer — where in Norwalk it's put is the rest of the answer. Is this easy or comfortable? No. It's sort of like going to therapy: If you are not honest and don't disclose your problems, then you have no chance of solving them. Who cares if Norwalk does its AI "right?" Westchester County, New York, recently settled a case brought against it for doing the AI "wrong." That settlement was for approximately \$60 million dollars. HUD has gone after Texas and Louisiana for not addressing fair housing adequately in their plans for using federal funds, and against a city in Illinois for allegedly using eminent domain in a discriminatory fashion. Perhaps you are thinking, "That's far from Norwalk." The U.S. Department of Justice (HUD's enforcement partner) is reportedly currently investigating Darien, Connecticut, for fair housing violations in its affordable housing policies. It doesn't get any closer than Darien. There really are one million plus reasons to care . . . ■

*About the author: Margaret K. Suib, Esq., Norwalk's Fair Housing officer since 1996, is an attorney assisting residents in combating housing discrimination, and is Norwalk Redevelopment Agency's affordable housing coordinator. [msuib@norwalkct.org](mailto:msuib@norwalkct.org).*

February 2011

# A Recent Fair Housing Settlement: Parking and People with Disabilities

BY MARGARET SUIB, ESQ.



A Norwalk man who uses a wheelchair faces additional difficulties because the handicap parking spot (with wheelchair access aisles and ramps) that he has used for nearly 20 years is suddenly assigned by the condominium association to a person who does not use a wheelchair (but does

have a handicap parking permit).

He asked that the spot be assigned back to him, and that the other resident who does not use a wheelchair be provided any another spot (many were available closer to her unit). His requests were ignored or denied. Fair Housing law is clear that ignoring a request, known as a "reasonable accommodation request," is the same as wrongfully denying it.

The man and his family then contact Norwalk's Fair Housing Officer. She and a Fair Housing Advisory Commission member go to the property to see the problems and devise possible solutions. They measure, inspect, and photograph the parking spots, access aisles and ramps, and the distance from both units to parking spots. They consult the building code. They find the ramps in dangerous disrepair and confirm that the wheelchair user would need the spot in question, because it has access aisles and ramps on both sides and is located on one of the only level areas of a sloped parking lot.

The Fair Housing Officer then requests a reasonable accommodation of the condominium association, specifically, assigning the spot in question to the man with the wheelchair, and doing needed repairs.

Under Fair Housing laws, a reasonable accommodation is a request by or on behalf of a person with a disability, for a change in rules, policies, practices, procedures, or services, needed because of his or her disability, which will enable him or her to use and enjoy the

home and property.

It took nearly six months but the Fair Housing Officer and the condominium's attorney brokered a solution on the eve of filing a lawsuit.

The solution includes that the wheelchair accessible parking spot will be reassigned for use by the man with the wheelchair, and the ramps and wheelchair aisles will be repaired or reconstructed in compliance with the building code. Another parking spot will be assigned to the lady, to meet her needs. The Fair Housing Officer advised the condominium of a local program that assists in handicap accessibility construction at a reduced cost.

What can we learn from this? (1) We must always consider the request of a person with a disability for something different; (2) Ignoring a request for a change in rules, policies, practices, procedures, or services from a person with a disability request is not permitted by law and doing so can and likely will cost tens of thousands of dollars in legal fees and penalties; (3) If the request is reasonable (not unduly expensive and administratively burdensome), it must be granted by the housing provider; (4) If you are a housing or services provider (landlord, condominium or cooperative association, or property manager), Fair Housing laws apply to you and require you to properly and promptly respond to such requests.

Norwalk's Fair Housing Officer assists people with disabilities in requesting reasonable accommodations, and also assists housing providers and property managers in properly responding, at no charge. It enables us to best serve the nearly 11% of Norwalk residents with a disability and especially, Norwalk's senior citizens, 34% of whom have some kind of disability. ■

*About the author: Margaret K. Suib, Esq., Norwalk's Fair Housing officer since 1996, is an attorney assisting residents in combating housing discrimination, and is Norwalk Redevelopment Agency's affordable housing coordinator. [msuib@norwalkct.org](mailto:msuib@norwalkct.org).*