



# Housing Rights ADVOCATE

Issue 6, May 1998

The Austin Tenants' Council

Safe • Decent • Fair • Housing for All

## HAPPY 25<sup>TH</sup> ANNIVERSARY!

**T**he Austin Tenants' Council (ATC) celebrated its twenty-fifth year of serving the community on April 23, 1998. Begun as a VISTA volunteer project in 1973, ATC has made a difference in the lives of tens of thousands of tenants since its inception.



Board President Lynn Whitten, Rep. Naishtat, and Sen. Barrientos at ATC's celebration.

While twenty-five years have passed, the struggle for housing rights in Austin is as meaningful today as it was in 1973. Tenants of the 1990s face obstacles similar to those problems that confronted renters during the 1970s: uninhabitable living conditions, exorbitant rents,

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### **SEE INSIDE:**

*Texas Lending Disparities  
Fair Housing Testers Wanted  
GAHGAA Available  
Folleto de Español*

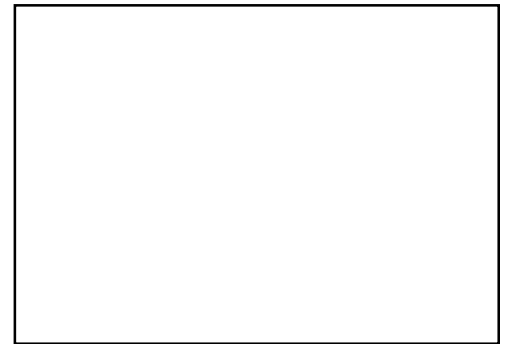
## HUD ANNOUNCES HOUSING DISCRIMINATION CHARGES

**Gilbert Pigg vs. Le Marquee and Monticello Apartments**

**G**ilbert Pigg felt in his gut that Maureen (Marty) Russum, the manager of Le Marquee and Monticello Apartments (302 & 306 West 38th Street) was not telling him the truth. In August 1997, Gilbert visited the complex to view the apartments. When he called back the following day to express interest in renting a unit, Russum informed him none was available.

Gilbert, who is black, did not want to believe that the manager refused to rent to him because of his race. He even made excuses for the treatment he received, wondering if his trouble renting at the complex was due to the return of the college students. However, Gilbert could not imagine why, besides his race, Russum would say the apartments were full after he saw "now leasing" signs still posted at the complex.

Gilbert admits his first reaction to the alleged housing discrimination was to ignore it. "If they do not want me living here, why should I bother?" he questioned. Nevertheless, Gilbert decided to call ATC's Fair Housing Program (FHP) and file a discrimination complaint based on his race.



[Gilbert Pigg speaks of his ordeal at the February 12, 1998 press conference.](#)

After reviewing Gilbert's allegations, FHP staff decided to investigate the complaint further. Paul Leddy, Fair Housing Testing Coordinator, arranged for a pair of fair housing testers, one black and one white, to visit Le Marquee and Monticello. Similar to Gilbert's experience, the manager gave different information about the availability of apartments to the black and white testers.

To verify the alleged race-based discrimination by Russum, Paul sent three additional pairs of testers to the complexes. Each time, the manager told the black testers that the apartments were full or offered them lesser accommodations than the white testers. For example, during one set of tests, Russum showed the black tester only one unit, while

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# TEXAS HOME LOAN LENDING DISPARITIES

**A** February 1998 Texas Community Reinvestment Coalition and Consumers Union's study found Austin possesses higher disparities in the denial rate of home loans to blacks and Hispanics, compared to whites, than in any other Texas city its size or larger. In Austin, lenders denied home loans to 28% of whites, 39% of blacks, 44% of Native Americans, and 47% of Hispanics, all whose incomes ranged from \$25,000 to \$49,999. The average denial rate for applicants in this income bracket, regardless of race, was 34%. The disparities between lending denial rates grew even greater as incomes increased. For example, banks and mortgage companies denied blacks and Hispanics, who earned more than \$100,000 per year, at almost twice the rate of whites.

The study noted two problems leading to a lack of approved home loans for minorities and low-income

persons. First, mortgage companies gained a greater dominance in the home lending market. These companies, however, are exempt from Community Reinvestment Act requirements, which call for an equitable distribution of home loans to underserved areas. In 1997, for example, the unregulated mortgage companies accounted for 49% of all home loans in Texas.

Second, banks and mortgage companies compete for the same suburban market. The study found that lenders do not make the same marketing investment in low-income areas as they make in high-income areas. This focus on the more affluent and less racially-diverse suburbs leaves minority and low-income borrowers to deal with manufactured home lenders, whose rates are generally more costly than conventional home loans.

Fair housing laws protect individuals from discrimination in the rental, sale, insurance, financing, or appraisal of housing. If you have questions regarding your rights or have a discrimination complaint, contact ATC's Fair Housing Program at 474-7007.

**HRA**

## ATC's 25th Anniversary (Continued from Page 1)

and housing discrimination. For these reasons, ATC remains dedicated to improving the housing environment for tenants. From our rental repair assistance to our telephone counseling line to our Fair Housing Program, ATC continues to advocate for safe, affordable, and fair housing for all!

The contributions of numerous people in the community have allowed ATC's work to carry on for these past twenty-five years. During the anniversary celebration, ATC remembered our original board members and incorporators for their forward thinking: Rebecca Sanchez, James G. Boyle, Carlean Johnson, David Keene, Nettie Miller, and John Wright. Lynn Whitten, current ATC Board President, dedicated a plaque in their honor, which will hang in ATC's lobby.



[Chad Howard, a member of Taking Action, Inc., performs at ATC's celebration.](#)

A special appreciation also goes out to Oscar Almaguer, Tammy Arnstein, Matt Dunlap, and Nick Littlejohn for producing the video-documentary about ATC's twenty-five years of service. They worked with limited time and resources, but generated a professional and compelling film. If you are interested in seeing the brief documentary, call Mary Daniels Dulan or Morgan Morrison at 474-7006.

**HRA**

# GAGA FOR GAHGAA

**T**he 3rd edition of ATC's *Guide to Affordable Housing in the Greater Austin Area*

(*GAHGAA*) is now available. It lists apartment complexes which have received low-interest rate loans, grants and other incentives to provide affordable rental units. The *GAHGAA* also details the income requirements for each housing program and the number of affordable units at the complexes. The areas covered in the *GAHGAA* include Travis, Williamson, Bastrop, Blanco, Burnet, Caldwell and Hays counties. Pick up your copy in our office (1619 East Cesar Chavez) Monday through Friday during normal business hours.

**HRA**

# HUD Declara Cargos de Discriminación en la Vivienda

## Gilbert Pigg vs. Los Apartamentos Le Marquee y Monticello

**G**ilbert Pigg se sintió que Maureen (Marty) Russum, la manager de los Apartamentos Le Marquee y Monticello (302 & 306 W. 38th St.) no le dijo la verdad. En agosto de 1997, Gilbert llegó al complejo para ver los apartamentos. El siguiente día cuando él habló para atrás con un interés a rentar la unidad, Russum le informó que ni una estaba vacía.

Gilbert, lo cual es moreno, no quería creer que no quería arrendársela por su raza. Hasta excusas hizo él por el tratamiento que le recibió, pensando que si el problema fuera debido al regreso de los estudiantes. Sin embargo, menos su raza, Gilbert no podría imaginar porqué Russum le diría que los apartamentos estaban llenos después de haber visto un letrero de «rentando ahora» todavía puesto afuera del complejo.

Gilbert admitió que su primera reacción fue ignorar la discriminación en cuestión. «Si no quieren que vivo aquí, ¿por que la molestaría?» el preguntó. De todos modos, Gilbert decidió hablar con el Programa de Vivienda Justa (FHP) del ATC y registrar una queja de discriminación basada en su raza.

Al revisar las alegaciones de Gilbert, los empleados de FHP decidieron investigarla más. Paul Leddy, el Coordinador de Pruebas de Vivienda Justa, arregló una apareja de probadores, una moreno y una blanco, las cuales iban a visitar Le Marquee y Monticello. La experiencia fue similar a la de Gilbert - la manager les

dio información contrario a los probadores morenos y blancos acerca de los apartamentos.

Para verificar la discriminación en cuestión por Russum, Paul mandó tres parejas de probadores adiciones a los complejos. Cada vez, la manager les dijo a los probadores morenos que los apartamentos estaban ocupados o les ofreció menos

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**Sin embargo, menos su raza, Gilbert no podría imaginar porqué la manager le diría que los apartamentos estaban llenos después de haber visto un letrero de «rentando ahora» todavía puesto afuera del complejo.**

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alojamientos que a los probadores blancos. Por ejemplo, durante una de las pruebas, Russum le enseñó al probador moreno solamente una unidad, mientras ofreció al probador blanco tres unidades.

La prueba firme que ATC juntó, sustentaba la queja administrativa con el Departamento de Vivienda y Desarrollo Urbano de los EE.UU. (HUD). HUD refirió la queja de Gilbert a un socio de ATC, la Comisión de Derechos Humanos de Austin (AHRC) para más investigaciones, incluso visitas al complejo. En una visita, la manager confesó a AHRC y ATC que ni una familia morena ha vivido en el complejo por dos o tres años. Más tarde en una entrevista, el supervisor de Russum dijo a los representantes de AHRC, HUD, y ATC que aunque la manager usa

palabras como «judíos», «nigger», y «mexicanos» en su lenguaje todos los días, no las usa para describir los inquilinos.

AHRC intentó a negociar un convenio acerca de la discriminación, pero las partidas no podrían concordar. Finalmente, AHRC y HUD declararon que encontraron una «causa razonable» y que las violaciones de vivienda justa han ocurrido. Después de haber escuchado del caso, el Secretario de HUD, Andrew Cuomo, dijo que Gilbert era una víctima de «discriminación con una

sonrisa». El tratamiento discriminando del manager a Gilbert era sutil; no usaba palabras raciales cuando le dijo cortésmente y falsamente que ningún apartamento fue desocupado.

En una junta de periodistas el 12 de febrero, 1998, la Secretaria Asistente para Vivienda Justa y Oportunidad Igual, Eva M. Plaza, anunció el registro de un cargo de discriminación en la vivienda contra Russum y los dueños de Le Marquee y Monticello. La Secretaria Asistente Plaza dio gracias a Gilbert por su valor y buena voluntad en compartir su historia con lo demás. Ella contó que es muy raro cuando la persona quien se ha enfrentado con discriminación hacia adelante con su historia. Hablar en voz alta contra la discriminación vindica a todos los víctimas

[Vea Página 4](#)

# LOCO PARA GAHGAA

La 3ª edición de la Guía de Vivienda Conveniente en el Area Metropolitana de Austin (Guide to Affordable Housing in the Greater Austin Area o GAHGAA) del ATC está disponible ahora. Se lista los apartamentos cuales han recibido préstamos de bajo-interés, donaciones y otros incentivos para proveer unidades con renta conveniente. La GAHGAA también detalla los requisitos de sueldo para cada programa y la cantidad de unidades convenientes en cada complejo. La GAHGAA incluye los condados de Travis, Williamson, Bastrop, Blanco, Burnet, Caldwell, y Hays. Puede recoger una copia en nuestra oficina (1619 E. Cesar Chavez) lunes a viernes durante las horas usuales de negocio.

**HRA**

# ¡FELIZ 25º ANIVERSARIO!

El 23 de abril el Austin Tenants' Council (ATC) celebró su vigésimo quinto año de servir a la comunidad. Empezando como un proyecto de voluntarios de VISTA en 1973, ATC ha hecho una distinción en las vidas de dieces de miles de inquilinos desde su principio.

Aunque veinticinco años han pasado, la lucha por derechos en la vivienda se importan tanto hoy como en 1973. Los inquilinos de los 1990's se enfrentan con obstáculos similares que los que vieron los inquilinos durante los 1970's: condiciones subnormales, rentas exorbitantes, y discriminación en la vivienda. Por eso, ATC se queda dedicado a mejorar el ambiente de vivienda para inquilinos. Desde nuestra asistencia con reparaciones hasta la línea de consejos por teléfono hasta el Programa de

Vivienda Justa, ATC sigue pidiendo ¡vivienda segura, conveniente y justa para todos!

Las contribuciones de tanto gente en la comunidad ha permitido el trabajo de ATC que se continuaba por los últimos 25 años. Durante la celebración, ATC recordaba los miembros y asociados originales y su forma de pensamiento avanzado: Rebecca Sanchez, James G. Boyle, Carlean Johnson, David Keene, Nettie Miller, y John Wright. Lynn Whitten, la Presidente presente de ATC, dedicó una placa en su honor, la cual se quedará en la entrada de ATC.

**HRA**

## Discriminación en la Vivienda (Continuado de la Página 3)

quienes andan en silencio, según Plaza. Ella también alabó a ATC y AHRC y afirmó que sin estos servicios, el pedido socorro de los víctimas de discriminación se quedará ignorado.

Es triste pero la experiencia de Gilbert no es único - muchos Americanos ven a la discriminación diario. Sin embargo, su caso es importante por este área. Austin se llama una ciudad «liberal» y hace la gente pensar que no existe discriminación aquí. Sin embargo, el caso de Gilbert le enseña a Austin que no es inmune a esta tipo de hostilidad. Mary Daniels Dulan, la Coordinadora de Actividades de Vivienda Justa, cree que la conclusión de este caso dará ejemplo a todas las quejas de vivienda justa, cuales vendrán en el futuro a este área. La Oficina de Abogados de la Ciudad de Austin ha entablado un pleito civil en la corte distrito federal por Gilbert contra el demandado.

**HRA**

## PROGRAMAS Y SERVICIOS

### INQUILINO-PROPIETARIO

**CONSEJOS POR TELEFONO** - Los consejeros contestan preguntas acerca de inquilinos-propietarios y hacen referencias necesarias. Sin embargo, ATC no ofrece consejo legal. Llame al 474-1961.

**CONSEJOS EN LA OFICINA** - Se provee información y materiales a los clientes que necesitan mayor información. Llame al 474-7006 para hacer una cita.

**INTERVENCION CRISIS** - Los consejeros median en nombre del inquilino a resolver una emergencia que amenazca su vivienda. Llame al 474-1961.

**AYUDA CON REPARACIONES DE ALQUILER** - El Programa de Asistencia con los Derechos de Inquilinos ayuda a los inquilinos de bajos ingresos a valer fuerza sus derechos a tener reparaciones por medio de negociación y mediación. Llame al 474-7006.

**CONTRATOS** - ATC vende paquetes de contratos y folletos describiendo los derechos y las responsabilidades del propietario y el inquilino por una cuota nominal. Llame al 474-7006 para más información.

### VIVIENDA JUSTA

**EL PROGRAMA DE VIVIENDA JUSTA** - Este programa ayuda a cualquier persona en el area metropolitana de Austin quien se ha enfrentado con discriminación en la renta, compra, financiamiento, o evaluación de vivienda. El Programa de Vivienda Justa investiga las quejas y coordina servicios legales para las víctimas de discriminación cuando sus derechos estan violados bajo las leyes del estado y federal de vivienda justa. Llame al 474-7007.

## Housing Discrimination Charges

(Continued from Page 1)

offering the white tester three available units.

The solid evidence ATC gathered supported Gilbert's administrative complaint with the U.S. Department of Housing and Urban Development (HUD). HUD referred Gilbert's complaint to ATC's partner, the Austin Human Rights Commission (AHRC), for further investigation, including on-site visits at the complexes. During one visit, the manager admitted to AHRC and ATC staff that no black families had lived in the complexes in the last two or three years. During a later interview, Russum's supervisor also told AHRC, HUD, and ATC representatives that while the manager had made comments about "Jews," "niggers," and "Mexicans" in her every day language, she did not use these words to describe tenants.

AHRC attempted to negotiate a settlement of the discrimination allegations, but the parties could not agree. Eventually, AHRC and HUD declared a finding of "reasonable cause" that fair housing violations had occurred. HUD Secretary Andrew Cuomo, after learning of the case, called Gilbert a victim of "discrimination with a smile." The manager's discriminatory treatment of Gilbert was subtle; she did not directly use racial slurs in telling Gilbert he could not move into the apartments. Instead, she politely and falsely told him no units were vacant.

At a press conference on February 12, 1998, Assistant Secretary for Fair Housing and Equal Opportunity, Eva M. Plaza, announced

the filing of a housing discrimination charge against Russum and the owners of Le Marquee and Monticello. Assistant Secretary Plaza thanked Gilbert for his courage and willingness

to share his story with others. She stated that rarely do people who have experienced discrimination firsthand come forward with their stories. Speaking out against discrimination

vindicates those countless victims who walk away silently, according to Plaza. She also commended ATC and AHRC and asserted that without these services, the call for help from victims of discrimination would be ignored.

Gilbert's experience is sadly not unique, as many Americans face discrimination daily. However, his case is noteworthy for the area. Austin's label as a "liberal" city lulls people into thinking that discrimination does not occur here.

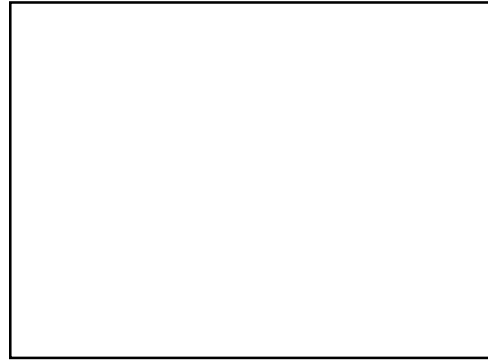
However, Gilbert's case shows that Austin is not immune from such hostilities. Mary Daniels Dulan, Fair Housing Activities Coordinator, believes the conclusion of this case

will set a precedent for future fair housing discrimination complaints in this area. Currently, the City of Austin Attorney's Office has filed a civil

lawsuit on behalf of Gilbert against the respondents in federal district court.

In addition to the client's charge, ATC filed a "frustration of mission" complaint against Russum and the property owners. ATC's suit asks that the respondents receive fair housing training. ATC also seeks compensation to cover the costs of diverting ATC's staff and resources to the work involved on this housing discrimination case.

**HRA**



Assistant Secretary Eva M. Plaza speaks at the HUD press conference.

### CALLING ALL UNDERCOVER AGENTS!

**Y**our mission, should you choose to accept it:

Go undercover as a Fair Housing Tester, and pose as a prospective homeseeker. Record in detail the events of the "test" of a housing provider - what was said, what was offered, what price was quoted for an available apartment, etc. Your objective, fact-finding ability is a top priority. The top secret information you discover on your mission as a Fair Housing Tester can be used to support an administrative housing discrimination complaint with HUD or a private lawsuit.

**THIS MESSAGE**

**WILL SELF-**

**DESTRUCT IN**

**TEN SECONDS**

**10...9...8...7...**

**The Austin Tenants' Council wants you!**

ATC is recruiting undercover agents of all backgrounds to serve as Fair Housing Testers. We especially need people who are available three or four hours during the normal business week.

**Call 474-7007 to accept your mission.**

Paul Leddy, ATC's Fair Housing Testing Coordinator, will talk with you more about becoming a Fair Housing Tester. Fight Housing Discrimination!

## Programs and Services

### TENANT-LANDLORD

**TELEPHONE COUNSELING** - Trained counselors answer tenant-landlord questions and make appropriate referrals. However, ATC offers no legal advice. Call 474-1961.

**IN-HOUSE COUNSELING** - Counseling information and materials are provided to clients in need of more in-depth information. Call 474-7006 for an appointment.

**CRISIS INTERVENTION** - Counselors mediate on behalf of tenants to resolve emergencies that threaten their housing. Call 474-1961.

**RENTAL REPAIR ASSISTANCE** - The Renters' Rights Assistance Program helps low-income renters enforce their rights for repairs through advocacy and mediation. Call 474-7006.

**LEASE FORMS** - ATC provides lease packets and brochures describing landlord and tenant rights and responsibilities to landlords for a small fee. Call 474-7006 for more information.

### FAIR HOUSING

**THE FAIR HOUSING PROGRAM** - This program helps any person in the Austin metropolitan area who has been discriminated against in the rental, sale, financing or appraisal of housing. FHP investigates complaints and coordinates legal services to assist victims of discrimination when their rights under State and Federal fair housing laws have been violated. Call 474-7007.

Next time you visit  
Randalls Grocery Store,  
remember to link your  
**REMARKABLE CARD**  
to ATC's  
**GOOD NEIGHBOR  
NUMBER**  
**❖ 5312 ❖**  
and help us raise funds for  
Tenant-Landlord and  
Fair Housing Programs  
the easy way!

Randalls Good Neighbor Program

Randalls Good Neighbor Program

Randalls Good Neighbor Program

Randalls Good Neighbor Program



**Housing Rights Advocate**  
Austin Tenants Council  
1619 E. Cesar Chavez St.  
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#### Austin Tenants Council Staff:

Ernest Cromartie.....Law Clerk  
Mary Daniels Dulan ..... Fair Housing Activities Coordinator  
Cruz Garcia ..... Housing Specialist  
Chris Garza ..... Program Specialist II  
Paul Leddy.....Fair Housing Testing Coordinator  
NeKeshia Monroe.....Fair Housing Specialist  
Morgan Morrison ..... Program Specialist I  
Sam Persley ..... Program Specialist III  
Bruce Rodenborn..... Program Development Specialist  
Lucy Salinas ..... Intake Specialist  
Jennifer Scott ..... Program Specialist I  
Katherine Stark ..... Executive Director

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