

# Civil rights and wrongs: Fair Housing isn't always fair.

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Having once prosecuted fair housing cases for the United States Department of Housing and Urban Development, I would be the first to tell you that housing discrimination is hardly a laughing matter. Between 1990 and 2003, I was involved in hundreds of cases involving everything from apartment evictions to fire bombings and cross burnings. Of the thousands of complaints filed each year with federal, state and local fair housing agencies, a significant number are cynical or frivolous. Below are some interesting examples.

As elsewhere in today's society, marital discord and conspiracy theories are reflected in fair housing cases, although not usually in the same case. A man whose ex-wife had obtained title to their marital residence filed a HUD complaint. Although this is common in divorce cases, this complainant felt his fair housing rights had been violated because, he claimed, the Central Intelligence Agency had assisted his wife in obtaining title to their house. What was worse, the ex-husband went on to complain that the CIA had been trying "to force me to change my political view, and become a Democrat." Such cases are not limited to disgruntled ex-husbands either. In another case, a wife complained that she and her husband "are both mentally disabled, but my husband is more so than me." Isn't that always the case?

The very reason fair housing laws have been enacted seems to be misunderstood by a number of complainants. One homeowner filed a complaint against a real estate developer after the homeowner learned that some of his neigh-

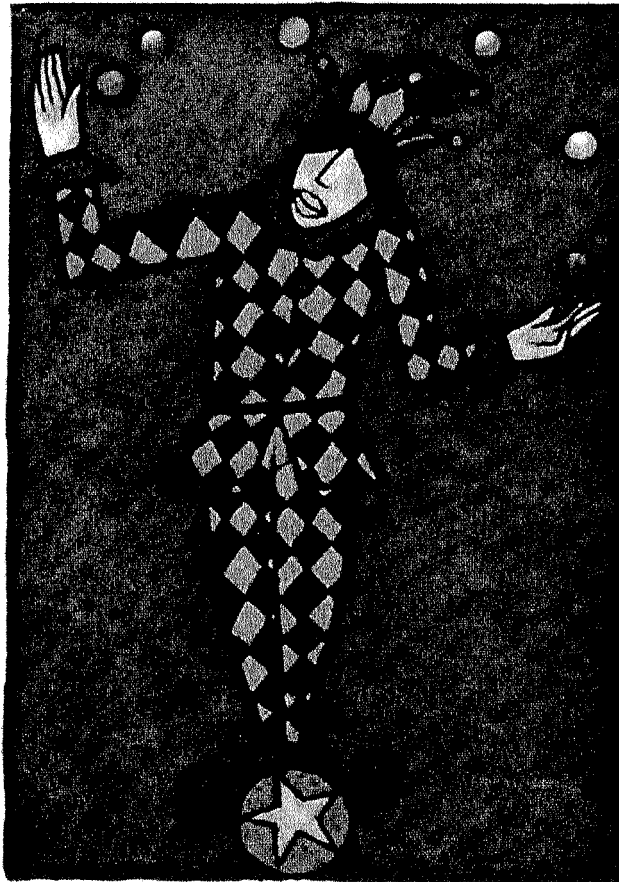
who wanted HUD to sue the Department of Defense because he had been improperly discharged.

Even in cases of some merit, finding the defendant can make prosecution impossible. One woman complained to HUD, "I have a ghost in my apartment. He is throwing stuff at us. I have not slept good in over two weeks. Please, can you do something?"

Speaking of the Supernatural, an 83-year-old man being evicted from his apartment for noise violations was eager to volunteer that he and his "girlfriend" did make noise when they were "amorous," but denied making enough noise to warrant eviction. Perhaps congratulations were in order.

As nearly everyone knows, the usual targets of fair housing complaints are property owners, managers, and agents, though not always. One woman claimed her eviction was "the devil's work." Would that make her attorney the devil's advocate?

Some complaints seem more like television soap operas than civil rights matters. Several years ago HUD received a complaint from a man who claimed he had been discriminated against because of his religion, which he noted on the standard HUD complaint form as "Gay Baptist." The investigators discovered that while the man had been conducting a public prayer service in his neighbor-



bors were going to be African-American. The man claimed that the developer had reneged on their agreement to build houses for "whites only."

At other times, complainants severely overestimate the government's authority to address housing discrimination. Consider the case of an ex-Marine

