

## **Indiana Civil Rights Commission Helps Us All**

Many of us spend little time reflecting on how laws affect our daily lives. There are some who are perhaps unaware that civil rights are not an issue directly or exclusively tied to any segment of the community. The Indiana Civil Rights Commission was established during the administration of Governor Matthew Welsh in the early 1960s to secure the rights of ALL Hoosiers. The goal of the commission has been to protect all citizens from discrimination.

The Indiana Civil Rights Law (IC 22-9-1-1-13) states that it is the public policy of the State of Indiana to provide all of its citizens equal opportunity and that it is unlawful to discriminate in the areas of employment, real property, public accommodation or credit on the basis of race, religion, color, sex, handicap, national origin, ancestry, or familial status (housing).

Governor Frank O'Bannon in the January of 1997 annual report stated "the Indiana Civil Rights Commission in its work to safeguard our rights, benefits each of us because there is no real freedom for any individual unless there is freedom for all."

The Indiana Civil Rights Commission is a service-oriented organization working with other like-minded individuals and groups to help or insure that all citizens realize their full potential without any barrier created because of discrimination.

The ICRC covers five areas: the article will deal directly ONLY with the Housing Component. In recent years, the mission of the commission has been broadened to include new responsibilities to help assure fair housing arrangements and to see that the rights of the aged and those with disabilities are protected.

The Real Estate Unit consists of one staff attorney, four investigators and one administrative assistant. The unit of discrimination involves both residential and commercial property. It also has a contract with the U.S. Department of Housing (HUD) to investigate and prosecute cases that fall under both HUD and IRCR jurisdictions (residential housing). The funding from HUD in 1996 totaled \$363,900.

A special program operated by the Real Estate Unit is the Fair Housing Initiatives Program (FHIP). The unit staff includes one director, one civil rights specialist and one support staff person. The FHIP program is funded by HUD and was added to expand the agency's outreach programs by educating the entire community on housing discrimination laws. Brochures, pamphlets, posters, videos and training modules have been developed by FHIP personnel to educate the public on civil rights laws.

The Fair Housing Act was passed by Congress in 1968, and amended in 1988. The Act is enforced by the United States Department of Housing and Urban Development (HUD).

## **The Indiana Fair Housing Act**

Fair housing laws regulate all housing transactions. Citizens of Indiana have the right to be treated equally in renting property, purchasing property, and securing a loan to purchase property. All citizens of Indiana have the right to receive fair and equal treatment in the terms and conditions of such housing services. The Indiana Fair Housing Act enacted by the Indiana General Assembly provides that no one may be denied housing or accepted on less favorable terms because of race, color, religion, sex, disability, national origin or family status.

**The Indiana Civil Rights Commission is the state administrative agency whose mission is**

To investigate complaints alleging violation of the Indiana civil rights laws, to prosecute complaints where probable cause is found the Indiana civil rights laws have been violated, and to adjudicate such complaints to determine, based on law and evidence, whether a violation of the Indiana civil rights laws have occurred.

### **The subtle forms of housing discrimination...**

**Steering.** You have the right to choose where you want to live. A real estate or leasing agent who discourages you from seeing or selecting certain properties because of a neighborhood's racial, religious, or national origin composition is violating the law.

**Rental Discrimination.** The terms and conditions of rental agreements must apply equally to all renters regardless of race, color, religion, sex, disability, national origin, or family status. The law prohibits discrimination on such basis in the terms, conditions, and privileges of rental so as to deny you equal access to property, and equal opportunity in the rental property.

**False Denial of Availability.** Real estate or leasing agents are breaking the law: if they tell you the property you are interested in is not available, when it actually is available for rental or purchase.

**Blockbusting.** It is illegal for anyone to pressure you into selling your home because members or groups of another race, color, religion, or national origin have moved in or are moving into your neighborhood.

**Financing Discrimination.** Lending institutions such as banks, savings-and-loans, or mortgage lenders can't deny you a loan or discriminate in lending services they offer you because of your race, color, religion, sex, disability, national origin or family status.

**Redlining.** It is illegal to deny, limit or impose different terms on mortgage loans or insurance coverage because of your race, color, religion, sex, disability, national origin or family status.

**Advertising Discrimination.** Ads or commercials for homes or apartments cannot indicate a preference or limitations for renters or buyer based on race, color, religion, sex, disability, national origin or family status.

The Indiana General Assembly enacted into law the Indiana Fair Housing Act in July 1991, which made the Indiana Civil Rights Commission (ICRC) the state agency responsible for the enforcement of the Act.

The Indiana Fair Housing Act states that it is illegal to discriminate in the sale, rental, and financing of housing and in the provision of brokerage, and appraisal services because of race, color, religion, gender, disability, national origin or familial status.

HUD's regulations and the Indiana Administrative Code states that any media organization used to disseminate housing advertising should do the following:

- Develop its own nondiscriminatory advertising policy;
- Provide a printed copy of such policy to each employee and officer;
- Post such policy to everyone who advertises; and
- Include at the beginning of each real estate ad section a Fair Housing Publisher's Notice.

The Indiana Civil Rights Commission (ICRC) for more than thirty-five years has served as the "protector" to those who have experienced challenges of discrimination in our state. One of the "tools" used by ICRC involves the use of "TESTERS" to determine if there has been differential (or special treatment in the quality, content and quality of information and services given protected classes under the civil rights laws.

"Testers" are individuals, just like you. Testers are trained, at no charge, to participate in test situations. The ICRC needs volunteers NOW for the upcoming Tester Training.

Volunteers should be college age or older, from any race, gender or national origin, with or without a physical or mental disability. For more information or to sign up to attend; call Anthony Bridgeman at 232-2624.

For a copy of a "Tester" program brochure contact Burntta Sloss Tanner, Director of ICRC Public Education and Outreach Unit. Tanner can be reached at 232-2600.

*Martin Luther King, Jr. stated, "Morality cannot be legislated, BUT behavior can be regulated."*

## **The Quest for Fair Housing CAN Change-Shape-Maim Your Life**

This is the personal story of Mildred Wilkins, a local realtor and newspaper columnist who incidentally also sits on the Fair Housing Task Force. It is no accident that Wilkins has spent the eight years of her real estate career as a champion of affordable housing, consumer rights, and sought ways to educate people about what their rights are.

All of us are shaped by the everyday, common place incidents in our lives and few of us can instantaneously recognize those incidents which have the power to change us, shape us, maim us, or direct our paths for years to come.

Today, Wilkins is a successful realtor, nationally recognized broker-specialist for Fannie Mae, and an active member of the community. She ardently encourages people to use the loans made available through IHFA (Indiana Housing Finance Authority) and has helped many clients purchase their first home with "bond money" loans. She has served on the Fair Housing Task Force for the past four years. During a task force meeting where members watched a film designed to show "testers" how to detect violations in fair housing practices, Wilkins had a powerful flashback to her own personal experience with housing discrimination. We've asked her to share her story.

In the spring of 1973, Wilkins was a senior in college at Alabama State University in Montgomery, Alabama. She and her husband of one and one half full years, Raymond Wilkins, wanted a larger, nicer apartment than the one they had rented at the edge of campus since their marriage. They wanted space; they wanted to live some distance out. They wanted a nice place to entertain, especially with graduation coming up in a few months. Wilkins did the research, checked the papers and found an apartment that met all their needs, fit their budget and was miraculously available. It was on Edgemont Avenue on the west side of town and out a bit. The apartment manager detailed how meticulously clean it was, how tenants really cared for their units as well as detailed all management did to ensure that the apartments were superbly maintained. It was really a quality place to live, very desirable.

The apartment manager gave Wilkins her name and directions. She assured her again that no one had applied for the apartment and she'd be happy to take their application. A young couple just graduating would probably be good tenants. If they could leave the deposit, it would be theirs. The drive should take 15-20 minutes from campus and she'd see them then. The Wilkins were anxious, this was too perfect. So they rushed. They arrived in 15 minutes.

When they arrived, Mrs. Wilkins asked for the woman she had spoken to by name. The woman wanted to know what she could do for her. "Well, I just spoke to you and we came about the apartment you have to rent." The prompt response was, "We don't anything available. All our apartments are rented." Trying to refresh her memory, Wilkins reminded the lady that they had spoken only 15 minutes before, there was no one looking at it and the woman was anxious to rent to the Wilkins. (It is worth noting that over the phone, even 30 ago, few people were able to discern that Wilkins is African-American. She'd taken drama since the 7<sup>th</sup> grade and done public speaking. You can't really place her with a race and you certainly would never guess she's from Alabama). The Wilkins persisted as did the woman. They had NO vacancies. She was sorry.

The Wilkins didn't believe her. Raymond Wilkins was angry. Mildred Wilkins was determined. She didn't know what could be done but certainly something could be done. She called the NAACP, she called the Attorney General's office. She called numerous other

folks because this wasn't fair and somebody ought to be able to do something about it. They had the money, they were decent people, and the only reason they couldn't have this beautiful apartment with the huge living room with large picture window and a big dining room in a nice part of town was because THEY SHOWED UP BLACK.

It was too much for Wilkins. She'd been taught all you have to do is excel, stay out of trouble, follow the rules, and you can have anything anybody else can have. She was a National Merit Scholar, high school valedictorian, about to graduate from college with honors on an academic scholarship. Plus she was squeaky clean. You can't excel much more than that and just be 22 years old.

The NAACP was most helpful and suggested a strategy. Yes, we feel confident you were discriminated against but that's awfully hard to prove. If you want us to try to make a case for you we can, but you'll have to try again to get the apartment. ALL the Wilkins wanted was the apartment.

The NAACP coached the couple on how to approach the woman again. To suggest that perhaps she was mistaken and the other couple hadn't rented the same unit. To hint that they had talked to someone about racial discrimination and they certainly hoped that wasn't a problem. To state that the law required that their application be taken. Further, that since the apartment was still being advertised in the paper two days AFTER they were told it was rented that didn't look good.

Persistence is a wonderful thing. The other people changed their minds. The Wilkins were allowed to look at the apartment (it was lovely) and fill out an application (which was scrutinized very carefully). They were told they could rent the apartment but the rent was \$25.00 higher than it had been two days before (and higher than advertised in the paper). The NAACP had prepared them for that and told them to take it no matter what. They did.

They moved into this gorgeous, formerly all-white apartment complex early spring of 1973. It was perfect for the graduation celebration in May. The Wilkins, of course, had no idea when they answered the ad that they were about to go somewhere that they weren't suppose to go. The apartment was, after all, advertised in the paper. They were not rebels looking for a cause or testers sent out to "catch somebody violating fair housing standards." They were simply a young couple, like hundreds of thousands of other people, looking to better their housing situation.

Succeeding in accomplishing the simple task of getting a nice apartment, albeit with a few hurdles, would have a lasting impact on Mildred Wilkins and subtly steer her life to where she is today, fighting for fair treatment for all people, relative to their housing needs.

### **The Quest for Fair Housing Can Change-Shape-Maim Your Life**

Edgemont Avenue is a sad testimony to what happens all too often. Once we moved in the landlord immediately changed the maintenance program. Lawns were not as well maintained as before, monthly pest control stopped altogether. Trash pickup from privately owned dumpsters got stretched out. The make-up of the tenants changed quickly. There began a systematic turnover with the white tenants moving out and minority tenants moving in. Within 2 years all 4 four-plexes were almost completely minority occupied. The landlord no longer showed any pride of ownership. No longer was new carpet and paint standard procedure when a unit became vacant (it wasn't the law then). The landlord no longer took even minimal care to the common areas inside the buildings. Token care was all the exterior of the building received. I lived here one year before we purchased our first home. The entire area, spreading out from the apartment complex, also started the pattern

of white flight. In 1975, I took a job transfer with Bell and began work at Indiana Bell in Greenwood. Occasionally, when I headed home to Andalusia to visit, I would hop off the interstate to see how the old neighborhood was fairing. By 1990, most of the apartments were vacant. In 1998, when last I drove through there, the complex was abandoned and boarded. All because people of color wanted decent housing for themselves.

I keep hoping that as time passes, the issues and attitudes that restricted where people were accepted and to what extent "quiet enjoyment" of their home is possible would change. I am saddened to say they have not. Laws instituted by our elected "wisemen" (and women) recognize the equality of all the people. Unfortunately, people determine first how they respond to and respect laws as well as literally whether or not they choose to comply. Frequently, people flaunt these laws because they don't agree with their personal value system.

How does this synchronize with my or your desire to live wherever we can afford and choose to? The simple answer is, it doesn't. Both the joy and bane of living in America is the expectation and the responsibilities of freedom. Freedom is what our country is based on. Yet we have groups of people proclaiming and embracing their right to freedom while denying that same freedom to others.

No matter what I achieve or where I am personally able to live because I've "mainstreamed" it does not diminish my need to stay aware and sensitive to the fact that everyone does not enjoy the same freedom.

My early experience of being denied the housing we chose has caused me to fight harder for the right of ALL OF US. I think I'm one of the lucky ones. How do you know when someone else might decide YOU don't fit in the neighborhood and should be excluded? I suggest you think about it. Maybe Fair Housing isn't such a bad idea after all.

I subscribe to the belief that until all of us are free, then none of us are really free. We each have an obligation to the community at large to ensure that our nation's laws are applied equally and fairly and that everyone's rights are guarded as carefully as we guard our own.

Will we heed? Will we learn? Do we care?

Note: Wilkins recently joined the NAACP and hopes to become involved in housing related issues. She simply felt "It's time."

**You May Be a Victim Of...**

**Steering**

**Rental Discrimination**

**False Denial of Availability**

**Advertising Discrimination**

**Financing Discrimination**

**Redlining**

**Blockbusting**

If you feel that you have  
been the victim of housing  
discrimination contact:

Indiana Civil Rights Commission  
Indiana Government Center North  
100 North Senate Ave., Room N-103  
Indianapolis, IN 46204  
(317) 232-2600 or (800) 628-2909  
Hearing Impaired (800) 743-3333

*Or*

United States Department of Housing and Urban Development  
Chicago Regional Office, Region V  
77 W. Jackson Blvd.  
Chicago, IL 60604-3507  
(800) 669-9777

*Or*

Your local Human Relations Commission

**Fair Housing Is The  
Law In Indiana**

**Meet "Your Real Estate Advisor"**

Mildred Wilkins, REALTOR® with Century 21 Realty Group I, has worked full time as an agent since January 1993. In addition to helping clients purchase and sell their homes, she has a passion for education consumers about all aspects of the real estate process so they clearly understand their rights. Since the spring of 1996, she has written a real estate column, "Your Real Estate Advisor," for the *Indianapolis Recorder*. This column covers all aspects of buying, selling, building and maintaining a home and should be syndicated by year's end.

As a former Fannie Mae Broker Specialist, Mildred handled foreclosed properties for the National Fannie Mae Distribution Center. While she enjoyed the challenge of handling these properties, it was a constant reminder of the consequences of making important housing decisions with inadequate information.

In addition to writing educational columns, Mildred also has written and produced a series of booklets related to housing which are available free of charge. She has been teaching home-buying seminars since 1995. She is "an agent who understands where you're coming from."

Mildred holds numerous memberships in organizations associated with housing needs including:

- Devington Community Development Corporation – member of the Board of Directors, Education Coordinator and Marketing Director
- Dayspring Center for the Homeless – member of the Board of Directors and Marketing Committee
- Indiana Coalition on Housing and Homeless Issues
- Fair Housing Task Force (Indiana Civil Rights Commission)
- Indiana Housing Finance Authority – Four-year member of the planning committee for the Statewide Affordable Housing Conference and conference speaker
- PTO president at Harcourt Elementary School (two terms) and Northview Middle School (one term) in Washington Township
- District Improvement Committee for Washington Township Schools
- Metropolitan Indianapolis Board of Realtors – member of the Equal Opportunity Committee City of Indianapolis, Dept. of Metropolitan Development, Regionalism Committee

Her other civil activities include five years as Girl Scout Brownie leader, school organizer, and human sexuality instructor for the Hoosier Capital Council.

Originally from Alabama, Mildred's career brought her to Indianapolis in 1975. She has two children and spends her free time reading and writing.

Mildred Wilkins  
Office: (317) 549-3918