

# **BLOOMINGTON HUMAN RIGHTS COMMISSION**

## **Director's Quarterly Report**

**April-June, 2022**

### **I. Discrimination cases**

- A. Pending from previous quarters
  - 1. Commissioner Haughton-Motley's case
    - a. Man filed complaint alleging discrimination in public accommodations on the basis of race in October, 2021
    - b. No probable cause decision issued in early July, 2022
  - 2. Commissioner McAlister's case
    - a. Woman filed complaint alleging discrimination in housing on the basis of disability in March, 2022
    - b. After reviewing response, complainant said she wanted to withdraw her complaint, but never signed withdrawal form
    - c. Found no probable cause in June, 2022; not appealed
- B. New cases
  - 1. Commissioner McAlister's case
    - a. Woman filed complaint alleging discrimination in housing on the basis of disability in April, 2022
    - b. Investigation pending
  - 2. Commissioner Calloway-Thomas's case
    - a. Man filed complaint alleging discrimination in housing on the basis of disability in May, 2022
    - b. Investigation pending

### **II. Miscellaneous inquiries**

- A. Caller left message saying that tenants constantly park in the accessible parking space and management does nothing. Left caller a message asking for more information; no return call.
- B. Caller with disability said that landlord charges tenants for reserved spaces and wants to charge her for accessible reserved space. Explained to her that DOJ has said that may well be a violation of the Fair Housing Act. She said she would try to talk to landlord about this and if not successful, will call back.
- C. Staff members at Indiana Civil Rights Commission asked to be on mailing list for BHRC's monthly newsletter as they found it "very

informative.” Added to mailing list.

- D. Caller felt that law enforcement had violated his rights by falsifying allegations against him. Referred him to appropriate governmental entity and/or ACLU of Indiana.
- E. Caller said her landlord built her an inadequate ramp and it's hard for her to leave her home. The ramp is very steep and does not have railings. Her landlord is her nephew so she didn't want to get him into trouble; her home is not within the City limits. Sent her memo on ADA ramp requirements to share with her nephew/landlord.
- F. Caller said he is having trouble finding affordable housing in Bloomington. He found a room he could afford, but landlord said he rents only to IU students. He asked if that was legal; yes, being an IU student, or not being an IU student, is not a legally protected category in Bloomington.
- G. Caller said his son and another man rented an apartment from 8/1/21 to 7/31/22. Landlord said he sent them a text in December asking if they wanted to renew; tenants deny ever receiving text. Now landlord has rented apartment to new tenants for the fall of 2022. Caller asked if this is legal; yes, if no evidence of race, religion, etc. discrimination, and the lease does not give tenants right to renew. Caller said landlord should be required to send notice by certified mail; explained no law requires that, and that tenants had right to end their tenancy on 7/31 without notice as well.
- H. Caller, a Purdue student working on a school project, had questions about the BHRC, including how many of the commissioners are affiliated with IU and what the BHRC does in Bloomington. Answered questions.
- I. Caller said he had been mistreated by unidentified jail; he said he was held two days after he was supposed to be released. He said he was not fed and was attacked. Not in BHRC jurisdiction; referred to ACLU of Indiana and/or private attorney.
- J. Woman said she had been approved for housing in Bloomington, but landlord says he doesn't have any accessible apartments.

Landlord not subject to BHRC jurisdiction; made referral.

- K. Caller left a voicemail message saying her child was facing discrimination in school. Tried to return call several times; voicemail not set up.
- L. Caller, who works with people facing eviction, said she sometimes talks to people who feel their landlords have sexually harassed them. Asked how BHRC can help with these cases; explained how BHRC works and explained that BHRC is always willing to talk to people about their issues and then they can decide later if they want to file a formal complaint.
- M. Law student said she was working on a paper about local human rights ordinances and asked where she could find the Bloomington Human Rights Ordinance. Provided her with citation.
- N. Caller said he had been unfairly terminated by his employer, possibly because of his disability. Employer outside of City limits; referred to MCHRC and/or ICRC.
- O. Caller asked how he could begin the process of impeaching Biden and Harris; explained we have no expertise in that area.
- P. Caller said she wanted a protective order against a coworker who was spreading gossip about her. Referred to protective order project.
- Q. Caller said that he had been denied a mortgage because his income comes from Social Security. Referred to Indiana Legal Services.
- R. Email writer asked if local entity was covered by the City's Living Wage Ordinance; we found no agreement between the entity and the City that would require the entity to comply with the LWO.
- S. Caller asked if he would be violating any ordinance if he flew the Ukrainian flag; told him not that we know of. Asked if he could get in trouble with his landlord; told him that would depend on his lease. Asked if his lease prohibited this; told him he would

need to read his lease to find out.

- T. Caller said she had witnessed a server be very rude and hostile to customers who appeared to be homeless, apparently for no reason other than the men appeared to be homeless. Wrote a letter to the restaurant explaining the allegations and the Bloomington Human Rights Ordinance, which prohibits discrimination in public accommodations on the basis of housing status. Offered to provide training to employees on customer relations.
- U. Caller, not in Bloomington or Monroe County, said that she had a disability and that her rent had increased by \$98 while her neighbor's rent increased by only \$45. Referred to local human rights advisory board, which is currently in limbo, ICRC and/or HUD.

### **III. Publicity**

- A. Emailed monthly newsletter, Rights Stuff, to 100+ individuals and organizations and distributed copies in City Hall, Monroe County Public Library and other locations in the downtown area
- B. Updated BHRC Facebook page
- C. Updated BHRC web page
- D. Solicited nominations for annual human rights award in newsletter, local media and on Facebook and web pages
- E. Distributed BHRC materials at tenant resource fair, held at Farmers' Market

### **IV. Networking/education**

- A. Held annual essay/arts award celebration, recognizing students who won prizes in BHRC's annual essay/art contest
- B. McKinney attended monthly ADA Indiana meetings
- C. McKinney attend HUD webinar on accessible housing

- D. McKinney attended fair housing conference
  - E. McKinney attended CCA meetings
  - F. McKinney attended webinar on Employment and the ADA
  - G. McKinney gave talk on fair housing to the Monroe County Apartment Association
  - H. McKinney attended AJC meeting on combating antisemitism
  - I. McKinney attended EEOC webinar on workplace harassment
  - J. McKinney attended webinar on accessible web pages and digital accessibility
  - K. McKinney attended meeting of MCCSC's Equity Team
  - L. BHRC participated in neighborhood clean-up day, funded by Lilly Grant
  - M. McKinney attended Mauer School of Law webinar on the Dobbs Supreme Court decision
  - N. Shadday presented annual human rights award to Sandy Keller at June 1 council meeting
- V. Affirmative action, common wages/living wages/drug testing policies**
- A. McKinney reviewed and approved approximately 37 affirmative action plans
  - B. DeCriscio Bowe reviewed contractors' wage payments for Davis Bacon compliance
  - C. McKinney reviewed two drug testing policies
- VI. ADA Issues**
- A. McKinney answered questions about accessibility issues at private properties and followed up when appropriate

- B. McKinney and Michael Shermis revisited city properties with accessibility issues as part of updating the City's ADA Transition Plan
- C. McKinney attended meetings of new coalition for service providers to people with disabilities
- D. McKinney attended CCA meetings