



ANNUAL REPORT

FAIR

HOUSING

COUNCIL



ANNUAL REPORT 2011

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Letter from Michael Vruno, Board of Directors Chairperson

As I look back on 2011, I see both good and bad. In some positive news, our housing markets are inching toward recovery. But on the negative side of the ledger, it's clear that economic gains are not accessible to everyone, and that some neighborhoods and communities are in danger of being worse off than ever before. In combination, the economic downturn, ongoing discrimination and unfair lending practices tore huge holes in the fabric of many neighborhoods. Repairing that damage will take conscientious, long-term efforts. As this report describes, organizations like the Metropolitan Milwaukee Fair Housing Council are an essential part of this work.

I ask you to be part of those efforts. With your contributions of time and financial support, we can make great things happen in our neighborhoods and in our State. Please visit www.fairhousingwisconsin.com and join me as a member of this excellent organization!

Sincerely,



Michael Vruno
Board of Directors Chairperson

Providing Quality Service for 34 Years

Prompted by prevailing patterns of racial and economic segregation, widespread discrimination in the housing market and an inadequate number of fair housing enforcement agencies, 40 citizens organized the Metropolitan Milwaukee Fair Housing Council (MMFHC) in 1977. A non-profit, membership-based organization, MMFHC is comprised of men and women who share a desire to create open and inclusive communities throughout Wisconsin.

Shortly after its formation, MMFHC received funding to embark on an ambitious full-service fair housing program. This continues today, as MMFHC seeks to guarantee all people equal access to housing opportunities while creating and maintaining racially and economically integrated housing patterns. MMFHC serves Milwaukee, Washington, Waukesha, Ozaukee, Racine, Dane, Outagamie, Brown, Winnebago and Calumet Counties, and conducts some out-of-service-area activities as well.

MMFHC operates two satellite offices, the Fair Housing Center of Greater Madison (FHCGM) and the Fair Housing Center of Northeast Wisconsin (FHCNW). FHCGM has been in existence since 1998, and FHCNW's work began in 2002.

During the past 34 years, MMFHC has established an impressive record of accomplishments and assumed a leadership role in the struggle for equal opportunity in housing.

Enforcement Program

Enforcement Program Activities

MMFHC provides complaint intake, case management and investigative services to persons who allege violations of local, state and federal fair housing laws. MMFHC counsels clients on their options for administrative and judicial remedy, assists clients in filing complaints with administrative enforcement agencies and makes referrals to attorneys. In addition, MMFHC conducts investigations into systemic forms of discrimination in the housing market and maintains a pool of volunteers who assist in fair housing enforcement activities.

Intake of Fair Housing Complaints

MMFHC received 271 housing discrimination complaints in 2011, an increase from 2010, when 236 complaints were received. Due to the complex nature of discrimination, some complaints were based on more than one protected class.

The protected class basis of complaints in 2011 was as follows:

Metropolitan Milwaukee

Age	12
Disability	35
Familial Status	11
Lawful Source of Income	10
Marital Status	2
National Origin	5
Race/Color	39
Sex	14
Sexual Orientation	2
Status as Victim of Domestic Abuse, Sexual Assault or Stalking	8

Dane County

Age	6
Arrest/Conviction Record	3
Disability	19
Familial Status	6
Lawful Source of Income	2
Marital Status	1
National Origin	1
Political Beliefs	1
Race	23
Refusal to Provide Social Security Number	1
Religion	2
Section 8 Participation	12
Sex	6
Sexual Orientation	3

Northeast Wisconsin

Age	4
Arrest/Conviction Record	3
Disability	19
Familial Status	16
Lawful Source of Income	5
Marital Status	3
National Origin	1
Race	15
Religion	1
Sex	7
Sexual Orientation	1
Status as Victim of Domestic Abuse, Sexual Assault or Stalking	1

Out of Service Area Complaints

Age	1
Disability	27
Familial Status	11
Lawful Source of Income	1
Marital Status	3
Race	6
Sex	2

Referral of Complaints

The following are the numbers of complaints referred to administrative enforcement agencies and attorneys.

Attorneys	19
U.S. Department of Housing and Urban Development (HUD)	11
Wisconsin Equal Rights Division	11

COMPLAINTS

MMFHC Files Discrimination Complaint Against Waukesha County

In March 2011, MMFHC filed a complaint with HUD alleging that Waukesha County has engaged in illegal housing discrimination on the basis of race, color and national origin, and that the County has violated HUD's mandate to affirmatively further fair housing.

In order to receive federal funds, including CDBG and HOME dollars, Waukesha County must certify to HUD that it analyzes impediments to fair housing and takes action to overcome identified impediments. MMFHC's complaint alleges that the County has failed to comply with its own civil rights certifications and has continued funding local governments whose laws and policies perpetuate racial and ethnic segregation. Since 2006, MMFHC alleges, more than \$12,500,000 in federal CDBG and HOME funds has been deployed to 35 individual jurisdictions without adequate consideration for its impact on fair housing choice by people of color.

The complaint alleges that the County funding policy has the effect of perpetuating racial and ethnic segregation. Specifically, by continuing to fund jurisdictions – like New Berlin, Brookfield, Menomonee Falls, the City of Waukesha, Mukwonago and others – that have actively prevented the development of affordable housing, the County discourages integration of mostly-white communities.

MMFHC alleges that Waukesha County's deliberate actions to limit housing development contribute to racial segregation, in that the County and several of its municipalities have blocked the development of affordable housing in order to avoid the effect such housing would have on majority white communities, where it would be perceived to promote integration on the basis of race, color and national origin. The Milwaukee – Waukesha metropolitan area is the most segregated region in the nation for African-Americans and in the top third of large metropolitan areas for residential segregation of

Hispanics. While Milwaukee County's population is racially and ethnically diverse, Waukesha County's population is starkly homogeneous. Nearly every community in Waukesha County is at least 95% white. A number of Waukesha County municipalities did not include a single African-American in recent census counts.

MMFHC filed the complaint after several years of working with a coalition of organizations including the ACLU of Wisconsin, Legal Action of Wisconsin, IndependenceFirst, Disability Rights Wisconsin, and Pledl & Cohn, S.C., all of which have a shared goal of increasing housing opportunities throughout Southeastern Wisconsin. Each of these organizations, individually and in concert, has made attempts to promote integration and affordable housing opportunities in Waukesha County. Given the institutional barriers posed by County government and detailed in the HUD complaint, however, coalition members' efforts were stymied.

Senior Citizen with Disability Prevails in Complaint Against Apartment Complex

Richard Budelman successfully resolved a fair housing complaint against Franklin Arms Apartments, which is owned by Ogden and Company and managed by Amy Rybach. The respondents will pay Budelman \$1500.00, and will not charge him rent for 6 months, a value of \$5400.00.

Budelman has lived in Franklin Arms Apartments for over 26 years. His disabilities require him to use a walker and cause him to experience pain when walking distances or using stairs. He typically entered the apartment building via a rear gate, which was adjacent to a parking space designated for persons with disabilities. In September 2010, however, the respondents placed a new lock on this gate and disallowed entry by residents. As a result, Budelman had to walk around the building to a side door and climb 4 stairs to enter the building, a much longer distance. Budelman called Amy Rybach and asked if the lock could be changed so that he could continue to enter the building through the rear door. He explained why his mobility impairments made it difficult for him to use the front door. She refused his request, citing safety reasons. He later put the same request in writing

and attached a letter from his doctor explaining why he needed the accommodation, and did not receive a response.

Budelman filed a complaint with MMFHC in November 2010, and MMFHC counseled him on his fair housing rights and options for remedy. With MMFHC's assistance, Budelman filed complaints with the US Department of Housing and Urban Development and the Wisconsin Equal Rights Division (ERD) in March 2011. In July 2011, the ERD issued a charge and initial determination that there was probable cause to believe that the respondents violated the Wisconsin Open Housing Law by discriminating on the basis of disability by refusing to permit reasonable accommodations and modifications for a person with a disability. The parties resolved on a settlement in December 2011. In addition to the monetary terms of the settlement, the respondents have made changes to the lock on the rear gate of Franklin Arms Apartments, so that Budelman may continue to use it.

Discrimination Complaint Settles: Landlords Pay Settlement to Family with Children

A married couple who are parents of three minor children have settled a housing discrimination complaint against a housing provider who owns numerous housing units in Appleton, Grand Chute and Menasha. The housing provider will pay the complainants \$20,000 to settle the complaint.

The complaint, which alleged that the housing provider discriminated based on the presence of children in the household, stemmed from a series of interactions in late May and early June 2009. One of the complainants contacted the housing provider to inquire about a three-bedroom apartment in Grand Chute. The housing provider asked who the apartment would be for, and the complainant responded that it was for himself, his wife and his three children. The respondent said she didn't know when she could show the property, but would call him back. Several days later, after not hearing from the respondent, the complainant called again. The housing provider asked if he was the person "with the three kids," and then told him the unit was probably rented.

After seeing a "for rent" sign in front of the building a few days later, the complainant called again to inquire if the unit was still available. The complaint was again asked if he was the person "with the three kids," and then the respondent told him that she wasn't showing the unit, only conducting interviews, and she hung up on him. The complainant called one more time, a few days later, to ask if the apartment was still available. He was told that it was, but that the property wasn't ready to show.

The complainants contacted MMFHC, which took fair housing complaints from them and counseled them on their options for legal remedy. MMFHC also conducted a testing investigation through its Fair Housing Center of Northeast Wisconsin satellite office, which is located in Appleton.

As part of the investigation, testers with and without children contacted the housing provider within two days of the complainant's last contact with the respondent. When the tester with children inquired about the apartment and informed the respondent that she had three children, the housing provider said she would need to check with the current tenant about showing the unit and would call her back. When a tester without children contacted the respondent, she was able to make an appointment for the very next day. The housing provider subsequently told a tester without children that "I'm looking for the perfect renter, meaning I don't want a lot of kids, but there is just not kids here [sic]." When a tester without children met with the respondent to view the unit, the tester was told that "we have a lot of people we don't show it to" and "if you had a lot of kids, we double the deposit." The respondent later telephoned a tester without children multiple times to ask if she was interested in the unit, and offered her a discounted rental rate. The respondent eventually contacted the complainants and the tester with children, saying that they were ready to "start showing" the unit, but only after the tester without children who had seen the apartment told them that she was no longer interested. Later that month, the respondent rented the unit to two men without children in their household.

With assistance from MMFHC, the complainants filed complaints with HUD and the ERD in December 2009. In March 2010, the ERD issued a Charge and Initial Determination finding probable cause to believe that the respondent had violated the Wisconsin Open Housing Law. HUD issued a charge of discrimination in September 2010, and the parties reached a settlement in January 2011. As part of the settlement, the housing provider will pay \$20,000 to the complainants, and will receive fair housing training. HUD may monitor compliance with the settlement for two years.

Mortgage Rescue Scams Resolved

Like millions of Americans, Judith Volovsek and Judie Papadakis faced problems making mortgage payments and feared losing their homes. They sought the help of companies that advertised easy and effective ways to help them. Unfortunately, these companies were mortgage rescue scam operations, which took their money, but took no action to help them. But with the help of private and public agencies, both women were able to recover thousands of dollars they had almost lost to these scammers.

Judith Volovsek, a Franklin resident with spine and vision disabilities, contacted a company called Legal Helpers for help modifying her home mortgage loan. She hoped that Legal Helpers would convince her lender to lower her interest rate and monthly payments. Volovsek was not yet behind on her mortgage payments, but her income had dropped and, because she has multiple physical disabilities that prevent her from working, her income was unlikely to increase in the future. Renegotiating her loan would allow her to keep her home and make her mortgage payments on time. She paid Legal Helpers \$2400 up front for this assistance. But during multiple telephone conversations, Legal Helpers staff told Volovsek that they had not yet contacted the lender, because they needed more paperwork from her, including paperwork that she had already sent them. Even after Volovsek sent Legal Helpers all of the documents they requested, Legal Helpers did not contact her lender or attempt to help her modify her home loan.

Volovsek contacted the Metropolitan Milwaukee Fair Housing Council (MMFHC) for help in September 2010. MMFHC investigated the case and helped Volovsek file a complaint with the Wisconsin Department of Financial Institutions (DFI) the following month. Following intervention by DFI, Volovsek was notified by her bank that \$2400 has been deposited into her account by Legal Helpers in February 2011.

A second case involves Judie Papadakis, a single mother who has resided in the same home in Milwaukee's Riverwest neighborhood for over two decades. She was struggling to make timely mortgage payments and had fallen behind when, as a State of Wisconsin employee, she was furloughed one day a week. The resulting drop in her income caused her to fall further behind. Papadakis turned to MI Solutions/First Asset Relief Center, a company in Houston that claimed that they could work with her home mortgage lender and get her a lower interest rate and monthly payment. Based on their promises, she paid them \$1050. A representative of MI Solutions/First Asset Relief Center told Papadakis that while they were working on her case, she did not have to make any mortgage payments to her lender. Papadakis later found out that her home mortgage lender had never been contacted by MI Solutions/First Asset Relief Center, and the lender notified her that they considered her loan to be delinquent. Afraid that she was going to lose her home, Papadakis contacted MMFHC in September 2010. MMFHC investigated the case and helped Papadakis file a complaint with DFI last November. DFI discovered that MI Solutions/First Asset Relief Center wasn't licensed in Wisconsin, and contacted the company to demand that it repay Papadakis and cease activity in Wisconsin. In February 2011, Papadakis received a check for \$150 from MI Solutions/First Asset Relief Center, with a promise that the company would continue to make a payment to her every month until the entire \$1050 they had taken was repaid.

Outreach and Education Program

The MMFHC Education and Outreach Program provides fair housing presentations and seminars to consumers, advocates and the general public. Staff also conduct training for property owners and managers, real estate agents and other members of the housing industry, and provide fair housing technical assistance to government agencies, civil rights organizations, social service agencies and housing providers.



Fair Housing Presentations and Seminars

The MMFHC Outreach and Education Program provides presentations and seminars to community-based organizations, social service agencies, educational institutions, advocacy groups, neighborhood organizations, religious congregations and the general public.

In 2011, Outreach and Education Program staff conducted 79 fair housing presentations and seminars: 39 in the metropolitan Milwaukee area, 11 in Dane County, and 29 in the FHCNW service area. These presentations and seminars reached over 1350 individuals. Audience members received valuable information on the purposes and provisions of federal, state and local fair housing laws; the nature and prevalence of illegal housing discrimination; how to recognize a possibly discriminatory experience; the remedies available to victims of illegal housing discrimination, and more.

Fair Housing Training for Housing Providers

In 2011, MMFHC staff conducted 26 Fair Housing Rental Management Training Seminars throughout its service area. Over 760 individuals received training; these individuals own or manage thousands of rental units. The seminars cover in-depth information about local, state and federal fair housing laws; how to make reasonable accommodations and modifications for tenants with disabilities; advertising rental units in compliance with fair housing laws; non-discriminatory negotiation with prospective tenants, and much more. Attendees learn how to implement fair housing practices at every stage of a housing transaction, from showing available units to terminating tenancies.

In addition to training seminars for the rental industry, MMFHC also conducted 4 training sessions for government employees and staff of other fair housing organizations, reaching nearly 190 individuals.

Community Events

MMFHC staff participated in 25 community events such as Juneteenth Day celebrations, commemorations of the Dr. Martin Luther King, Jr. Holiday, community festivals and neighborhood fairs. Staff use these opportunities to recruit volunteers, distribute educational materials and build relationships with other organizations.

Information and Referral Services

In 2011, MMFHC provided information and referral services to over 1500 callers with non-fair housing inquiries. Such inquiries are most commonly related to issues such as housing subsidies or financial assistance, tenant rights, housing repairs and other landlord-tenant concerns. When callers with non-fair housing questions contact MMFHC, they are provided general information about the protections provided by fair housing laws and are referred to an appropriate community group, government agency, social service agency or source of legal assistance.

Inclusive Communities Program

The Inclusive Communities Program provides technical assistance to community organizations, developers and local policy makers on inclusionary housing policies and the promotion of racial and economic integration. This Program also provides assistance with consumers' access to pro-integrative housing choices, and conducts research, analysis and documentation of fair and affordable housing opportunities and impediments.

The Inclusive Communities Program's 2011 activities to promote racially and economically integrated communities include the following:

- Served on the Southeast Wisconsin Regional Planning Commission Regional Housing Study Advisory Committee.
- Participated in the Milwaukee Housing Coalition and the Waukesha Housing Action Coalition, which are groups of legal, disability rights and advocacy organizations working to increase housing choices for low-income Milwaukee-area households.
- Served on the City of Milwaukee's Housing Trust Fund Advisory Board.
- Provided technical assistance to Thrive Waukesha, an affordable/accessible housing policy coalition.
- Participated with other civil rights and fair housing experts on the Poverty & Race Research Action Council's Civil Rights Task Force on Federal Housing Policy.
- Prepared Analysis of Impediments to Fair Housing reports for Memphis, Tennessee and Eau Claire, Wisconsin.
- Presented at the National Fair Housing Alliance Annual Conference on affirmatively furthering fair housing and development of Analysis of Impediments to Fair Housing reports.
- Conducted training for staff of Wisconsin CDBG and HOME entitlement jurisdictions on how to identify fair housing impediments and develop recommendations to address those impediments.
- Provided technical assistance to Wisconsin Housing and Economic Development Authority staff regarding barriers to equal housing opportunities.

Fair Lending

The Fair Lending Program conducts intake of predatory lending, mortgage rescue scams and other fair lending complaints, and provides case management and counseling for complainants on their options for remedy. In addition, it promotes fair lending and foreclosure prevention, and seeks to eradicate predatory lending practices through leadership of city-wide efforts - the Milwaukee Homeownership Consortium and the Milwaukee Foreclosure Partnership Initiative. Staff also monitor financial institutions' fair lending practices and Community Reinvestment Act (CRA) activities, and provide technical assistance and education for lenders and the general public.

In 2011, MMFHC Fair Lending Program activities included:

- Conducted complaint intake for 153 households that had encountered lending-related problems; 65% of these households were in predominantly minority or racially integrated neighborhoods.
- Conducted complaint intake on 45 foreclosure rescue scam allegations and helped complainants file complaints with local, state and federal regulatory and administrative agencies.
- Investigated loans that may be fraudulent or predatory, discussed options for remedy with clients, reported concerns to appropriate regulatory agencies, and provided in-depth assistance to borrowers, such as negotiating loan modification or repayment agreements with lenders.
- Conducted 34 presentations on fair lending rights to 1122 individuals.
- Coordinated three foreclosure prevention events in Milwaukee, providing in-person meetings to over 410 delinquent borrowers who were able to meet with a nonprofit homeowner counselor and/or with their loan servicer on the spot, and make progress toward understanding their options and avoiding foreclosure.
- Met with local lenders, offering suggestions to help them refine their operations to better serve low and moderate income communities and communities of color.
- As Chair of the Board of Directors of the National Community Reinvestment Coalition (NCRC), the Fair Lending Program Director chaired meetings of NCRC's Bankers Community Council and the Mortgage Finance Community Council, which meet quarterly with executives from the nation's largest mortgage lenders and mortgage insurers to address fair lending practices, underserved populations' access to capital and foreclosure prevention.
- Worked with NCRC to file fair lending complaints with HUD against 24 major lenders for their underwriting practices and provided technical assistance to members of Congress on changes to national banks' regulation.
- Convened the Milwaukee Community Reinvestment Act Caucus, compiled community input and data, and wrote an official letter to the Federal Reserve, commenting on the Bank of Montreal's acquisition of M&I Bank, and asking for significant commitments to low and moderate income communities and communities of color.
- Collaborated with partner organizations in Dane County and Northeast Wisconsin to present foreclosure prevention events in Madison and Appleton connecting borrowers with housing counselors and other resources.

In 2011, MMFHC staff played leadership and advocacy roles in a variety of other organizations, promoting MMFHC's mission and raising its visibility. A sampling of staff activities follows:

LEADERSHIP & ADVOCACY



Felita Daniels Ashley

- Member, Wisconsin Fair Housing Network

Laurel Bastian

- Board Member, Community Shares of Wisconsin
- Member, Homeless Services Consortium

Kristi Clover

- Member, Brown County Homeless and Housing Coalition
- Member, Fox Cities Housing Coalition
- Chair, Toward Community
- Member, WinnebagoLand Housing Coalition

Lemuel Eaton

- Member, Office of the Commissioner of Insurance, Property and Casualty Committee
- Member, Office of the Commissioner of Insurance, Title Insurance Advisory Committee
- Member, Milwaukee Foreclosure Mediation Program Committee
- Member, Housing Resources Inc. Board of Directors

Bethany Sanchez

- Chair, National Community Reinvestment Coalition Board of Directors
- Mayoral Appointee, Steering Committee of the Milwaukee Foreclosure Partnership Initiative
- Vice-President, Urban Economic Development Association of Wisconsin Board of Directors
- Chair, Take Root Milwaukee's Foreclosure Outreach Workgroup
- Member, Selection Committee for the Milwaukee Awards in Neighborhood Development Innovation (MANDI)

Kori Schneider Peragine

- Honoree, Business Journal "Forty Under 40" Award
- Member, Regional Housing Study Advisory Committee of the Southeastern Wisconsin Regional Planning Commission
- Member, City of Milwaukee Housing Trust Fund Advisory Committee
- Member, Poverty and Race Research Action Council's Civil Rights Task Force on Federal Housing Policy
- Member, Wisconsin Fair Housing Network

Carla Wertheim

- Faculty Member, National Fair Housing Alliance Fair Housing School
- Appointee, HUD Fair Housing Initiatives Program Working Group

William R. Tisdale

- Member, U.S. Congresswoman Gwen Moore's Advisory Committee on Housing
- Member, Wisconsin Advisory Commission to the US Commission on Civil Rights

PHOTO TO COME?

MMFHC Honors Volunteer Dorothy Dean

In 2011, MMFHC recognized Dorothy Dean with the Marie Topolovich Volunteer Award. Ms. Dean gives generously of her time and skills to the MMFHC Fair Lending Program by providing complaint intake for victims of foreclosure rescue scams and providing counseling to complainants on how they may successfully resolve their claims. She brings a wealth of experience to her volunteer role; she is a former Milwaukee County Supervisor and Milwaukee County Treasurer, and has worked for social and economic justice throughout her career. The Marie Topolovich Volunteer Award is named in memory of MMFHC volunteer Marie Topolovich (1947-1985), and is awarded to individuals who make particularly outstanding contributions to civil rights in the housing market.

2011 MMFHC Staff

William R. Tisdale, President and Chief Executive Officer
Carla Wertheim, Executive Vice President
Felita Daniels Ashley, Senior Program Coordinator
Laurel Bastian, Program Services Coordinator**
Margaret Bowitz, Senior Administrator - Case Management Services
Joanne Chalhoub, Investigator**
Maira Clark, Fiscal Manager
Kristi Clover, Program Services Coordinator II*
Barbara Collins, Program Assistant II
Leticia Cureno, Fair Lending Services Coordinator
Gabriella Dieguez, Program Assistant II
Lemuel Eaton, Senior Program Coordinator
Olena Eichinger, Accountant
Barbara Guyer, Administrative Services Manager
Gail Hyde, Senior Accountant

Tobi LeMahieu, Program Services Administrator**
Deanna Richardson, Program Administrator - Enforcement Program
Bethany Sanchez, Senior Administrator - Fair Lending Program
Erika L. Sanders, Director - Program Operations
Rachel Scalise, Support Services Coordinator
Christine Schneider, Project Coordinator - Special Projects
Kori Schneider Peragine, Program Manager - Inclusive Communities Program
Megan Wanke, Support Services Coordinator II
Kathleen Williams, Program Assistant II

* Fair Housing Center of Northeast Wisconsin office staff

** Fair Housing Center of Greater Madison office staff

2011 Funding Sources

US Department of Housing and Urban Development - Fair Housing Initiatives Program
State of Wisconsin Department of Commerce
State of Wisconsin Department of Administration
City of Milwaukee Community Development Block Grant (CDBG) Program
Milwaukee County CDBG Program
Waukesha County CDBG Program
City of Appleton CDBG Program
City of Green Bay CDBG Program
City of Madison CDBG Program
City of Neenah CDBG Program
City of Oshkosh CDBG Program
City of Wauwatosa CDBG Program
Dane County CDBG Program
Community Shares of Wisconsin
Helen Bader Foundation
City of Memphis CDBG Program
City of Eau Claire Housing Division

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Henry Venzant
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Toriana Pettaway
Merry Fran Tryon

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Stephen Hintz
Rosemary Jonas
Pastor G. Manns
Lisa Schneider
Scott Schnurer

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Metropolitan Milwaukee Fair Housing Council

600 East Mason Street, Suite 401, Milwaukee, WI 53202
414.278.1240 (phone) • 414.278.8033 (fax)

Fair Housing Center of Greater Madison

a program of the Metropolitan Milwaukee Fair Housing Council

600 Williamson Street, Suite L-4, Madison, WI 53703
608.257.0853 (phone) • 608.257.1445 (fax)

Fair Housing Center of Northeast Wisconsin

a program of the Metropolitan Milwaukee Fair Housing Council

4650 West Spencer Street, Suite 15, Appleton, WI 54914
902.560.4620 (phone) • 920.560.4621 (fax)

www.fairhousingwisconsin.com