



FOR IMMEDIATE RELEASE

DATE: January 15, 2010

CONTACT: Attorney Michael J. Cohn, Pledl & Cohn, S.C.

PHONE: 414-225-8999

Race Discrimination Complaint Settles: Appleton Landlords Pay \$22,500

Appleton, Wisconsin - Lakisha Jackson, an African American resident of Appleton, has settled a race-based housing discrimination complaint against Alice and David Evers and their business, Evers Rentals, of Combined Locks, Wisconsin. The Evers, who own 24 three-bedroom duplexes in the Appleton area, will pay Jackson \$22,500 to settle the complaint.

"I am so relieved that this is over," said Jackson. "Experiencing discrimination was extremely hurtful, but I am glad that the Evers will be unlikely to violate the law again. Housing discrimination really does still happen in the 21st century. I'd urge anyone who has faced discrimination to protect their rights and file a complaint."

Jackson's complaint, which alleged that the Evers falsely represented their housing as unavailable because of Jackson's race, stemmed from a series of interactions that she and her fiancé had with Alice Evers in March 2008. Jackson and her fiancé, who is African, made an appointment to see apartments owned by the Evers. Alice Evers showed them two units on March 9, 2008, including a duplex at 13 Century Court, in Appleton. On March 17, 2008, Jackson called Evers to say they were interested in renting the unit at 13 Century Court and to ask Evers to mail them an application. On March 20, 2008, when they had not yet received an application, Jackson's fiancé called Evers again. Evers told him that the unit they were interested in was no longer available because the current tenants had decided to stay. In fact, the current tenants had already provided Evers with a letter indicating that they planned to move out by mid-April. Further, Evers did not sign a lease agreement with new tenants until April 7, 2008, when she rented 13 Century Court to a white family.

On March 22, 2008, Jackson saw a “for rent” sign outside 13 Century Court. Jackson contacted MMFHC, which took a fair housing complaint from her and counseled her on her 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, which occurred in April 2008, both an African American and white tester contacted Alice Evers to view an apartment that she owned at 5053 Anita Street (the unit on Century Court had already been rented). When the African American tester met with Alice Evers and was shown the unit, the tester told Evers that her spouse worked at Fox Valley Technical College and they wanted to move to be closer to his workplace. Evers told the tester that she “pretty sure” she had the unit rented and had already accepted other applications for it. In contrast, she made no such comments about other applicants to the white tester during the white tester’s visit, and told the white tester it would be available in May. Evers told the African American tester that the initial payment for the unit would be the total of the first month’s rent, the last month’s rent, and a security deposit. Evers also told the white tester that the initial payment included the first month’s rent, the last month’s rent, and a security deposit, but she offered the white tester the opportunity to pay the last month’s rent over the course of the first four months of the lease. The African American tester was offered no such payment plan. Evers told the African American tester that she would call the tester if the unit was in fact available. In contrast, Evers provided the white tester an application and gave her information about the application process.

The African American tester called Evers the day after she was shown the unit and asked if it was available and whether the tester could submit an application. Evers told her she didn’t want to give the tester “false hope,” and that she would notify the tester if the unit at 5053 Anita Street or any other units were available. The African American tester never received further communication from Evers.

A white tester contacted Evers several days after her visit to 5053 Anita Street and asked if the unit was available. Evers said that she was processing paperwork to rent the unit, but that her son had several units near Fox Valley Technical College for rent. Evers gave the white tester her son’s phone number. In contrast, Evers never told the African American tester about these units, even though the tester had told her that she and her husband wanted to live near the college.

With assistance from MMFHC, Jackson filed complaints with the U.S. Department of Housing and Urban Development and the Wisconsin Equal Rights Division (ERD) in June 2008. In September 2008, the ERD issued a Charge and Initial Determination finding probable cause to believe that the Evers had violated the Wisconsin Open Housing Law. The Evers elected to move the case to federal court in September 2008, and the settlement was

reached in December 2009. MMFHC referred Jackson to Attorney Michael J. Cohn of Pledl & Cohn, S.C., who represented her. "Testing evidence provided by the Fair Housing Council was critically important in this case," noted Attorney Cohn. "Without testing evidence, it can be very difficult for victims of housing discrimination to hold housing providers accountable for violating the law."

###

MMFHC is a private, non-profit organization whose purpose is to promote fair housing throughout the State of Wisconsin by guaranteeing all people equal access to housing opportunities and by creating and maintaining racially and economically integrated housing patterns. It operates satellite offices in Dane County (the Fair Housing Center of Greater Madison) and in Northeast Wisconsin (the Fair Housing Center of Northeast Wisconsin).

Persons who feel they may have experienced illegal housing discrimination should call 1-877-647-FAIR, a toll-free number. Callers within the 414 area code may call 414-278-1240. All services to victims of illegal housing discrimination are free of charge.