



Senior Citizen with Disability Prevails in Complaint Against Apartment Complex

Milwaukee, WI - Richard Budelman has 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, located on West Appleton Avenue in Milwaukee, 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. Budelman says of the experience, "Thanks to the help of the Fair Housing Council, this was ultimately settled to my advantage. This whole

matter could have been settled with the installation of a new lock when I asked for one. Instead, it took over a year.”