



Fair Housing Council of Suburban Philadelphia

HUD Charges Bucks County Landlords With Discriminating Against Adoptive Mom

Landlords Allegedly Terminated Lease after Adoption of 11-Year Old Child

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Swarthmore, PA – The U.S. Department of Housing and Urban Development (HUD) announced today that HUD Secretary Shaun Donovan is charging the owners of several apartment buildings in Bucks County, PA with discriminating against families with children. This charge of discrimination is initiated by HUD on behalf of Robin Link, her adopted minor son, and the Fair Housing Council of Suburban Philadelphia (FHCS). HUD charged landlords Charles and Patricia Trucksess with illegally terminating the lease of a single mother because she adopted an 11-year old child. In addition, HUD alleges that the landlords made discriminatory statements indicating that they did not rent to families with children and that they discouraged other families from applying for available rental units by understating the number of bedrooms.

The Fair Housing Act prohibits housing discrimination on the basis of familial status, or the presence of children under the age of 18 in the household. In addition, expectant mothers and any adult who is in the process of gaining legal custody of a child are covered under the familial status provision of the Fair Housing Act. Familial status has been protected under the Fair Housing Act since 1988.

“Adoptive families deserve the same respect and enjoy the same rights as all families in our society,” stated John Trasviña, HUD Assistant Secretary for Fair Housing & Equal Opportunity. “HUD works vigorously to enforce legal protection for families with children.”

According to HUD’s charge, when Robin Link viewed an apartment in Doylestown, PA owned by Charles and Patricia Trucksess in February of 2007 and mentioned that she intended to adopt a child, Ms. Trucksess told her that she had never before rented to a family with children. Ms. Link proceeded to move into the apartment and later adopted her son in December, 2008. The owners notified her in April of 2009 that they were terminating her lease and that she and her son needed to vacate the apartment by the end of May, 2009. Ms. Link had a lease term that was set to run through February, 2010, and she had not intended to move from the apartment. Ms. Link

contacted FHCSF to report the incident and to get information about her fair housing rights. In the meantime, the family was forced to move to a new town, depriving the 11-year old boy of his school, friends, and the aunts that he visited regularly. The charge further alleges that Ms. Trucksess had previously advertised the three-bedroom apartment as having two-bedrooms to avoid inquiries from families with children. On November 16, 2009, Ms. Link and FHCSF filed a housing discrimination complaint with HUD.

FHCSF is a private, non-profit organization working to educate and advocate for equal access to quality, affordable housing for everyone in Southeastern Pennsylvania. Founded in 1956, FHCSF is the oldest fair housing council in the nation and has been serving Bucks County for 22 years. FHCSF released a study in 2009 entitled *Housing Discrimination Trends in the Philadelphia Region*, which reported that African Americans, people with disabilities and families with children can expect to experience housing discrimination 32% of the time in Bucks County while attempting to find rental housing.

FHCSF counseled Ms. Link through the lease termination and through the complaint process, advising her of her rights under the fair housing laws, and investigated her complaint of discrimination. “The impact of discrimination can have devastating long-term effects on the lives of victims, and can cause significant emotional damage to families, especially those with young children,” said James Berry, Executive Director of FHCSF. “Ms. Link and her son certainly felt the emotional impact of being victims of housing discrimination.” Ms. Link said of her experience, “By illegally denying me and my newly adopted son housing, Charles and Patricia Trucksess set into motion a chain of damaging events that will forever change lives and relationships. Their cruel actions caused my son to believe it was his fault that his new mom and he lost their home.”

The HUD charge will be heard by a United States Administrative Law Judge unless any party to the charge elects to have the case heard in federal district court. If an Administrative Law Judge finds after a hearing that discrimination has occurred, he may award damages to the family for its losses and order injunctive relief and other equitable relief to deter further discrimination. In addition, the judge may impose fines in order to vindicate the public interest, including a civil penalty of up to \$16,000, and award attorney fees. If the matter is decided in federal court, the judge may also award punitive damages to aggrieved persons.

The Fair Housing Act protects people from discrimination in housing related transactions based on race, color, religion, national origin, sex, disability and familial status. Anyone suspecting that they were denied housing for discriminatory reasons, or any housing providers who want information on how they can operate their business in a nondiscriminatory manner should contact FHCSF at 610-604-4411 or visit www.fhcsf.com.