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Summary of Proposed Updates to Chapter 18 of the City of Kalamazoo Code of Ordinances

The housing equity language proposed for the revised Civil Rights Ordinance, championed by Vice Mayor Patrese Griffin, was developed through community voices of those directly impacted and housing providers in response to personal experience and concerns raised by those who have experienced homelessness, housing instability, and discrimination. Through a grant given from the Michigan Department of Civil Rights (MDCR) by the Government Alliance on Racial Equity (GARE), 2018-2019, representatives from MDCR, the Kalamazoo Community Foundation, Fair Housing Center of Southwest Michigan, Interfaith Strategy for Advocacy and Action in the Community (ISAAC), and the City of Kalamazoo worked together to identify impediments to fair housing through community engagement and data collection methods.

Access to housing is a key determinant of quality of life, health, and opportunity. This revised Civil Rights Ordinance seeks to remove some of these identified barriers and improve the well-being of the community.

Support for the proposed changes has come from the Separation Design Team of Truth, Racial Healing and Transformation (TRHT), ISAAC, the Metro Kalamazoo Branch of the NAACP, 60th District Michigan State Representative Jon Hoadley, and Michigan United. These proposed changes are aligned with the mission and vision of Shared Prosperity Kalamazoo (SPK) and goals for the City as outlined in Imagine Kalamazoo 2025. Key elements to the proposed Chapter 18 Civil Rights Ordinance revisions are summarized below.

Protection against discrimination would be expanded for additional groups

Chapter 18 currently prohibits discrimination based on actual or perceived race, color, religion, national origin, sex, age, height, weight, marital status, physical or mental disability, family status, sexual orientation, or gender identity. This update expands protections to include educational affiliation, source of income, status as a victim of domestic violence, personal identification method, prior arrests, or conviction record.

Creation of Civil Rights Board to review alleged cases of discrimination

Chapter 18 currently allows for the creation of an ad hoc Community Relations Advisory Board, as needed. The proposed change to Chapter 18 would replace this with a Civil Rights Board. The purpose of the board would be to review appealed cases of alleged discrimination following an investigation conducted at the direction of the City Manager. The board would also provide recommendations and promote policies that help ensure equal opportunities are afforded to everyone.

The ordinance would prohibit blanket rejections based on status in a protected group

The ordinance prohibits a blanket rejection for any group of people in the City of Kalamazoo. Landlords and property managers would still be permitted to vet potential tenants but would be required to consider an entire application.

Any valid government-issued ID would be permitted as identification in the application process

The ordinance requires that any valid government-issued ID be accepted as proof of identification, including the Kalamazoo County ID.

The religious exemption would be removed from public accommodation-type housing

The current ordinance allows religious organizations to restrict housing facilities, homeless shelters, and dormitories that are reported as a direct part of its religious activities. This proposal would remove public accommodation-type housing from this exception. Public-accommodation-type facilities are those that are generally open to the public.

Application fees would be limited to actual costs of conducting a background check

Where an application fee is charged, this fee will be limited to the actual costs of conducting the background check, which may include local criminal histories, credit reports, rental history records, reference checks, eviction records, and employment verification. Landlords may continue to prelease units and may hold an application fee for up to 30 days if a written receipt is provided.

Vouchers would be considered income for purposes of income verification

When verifying household income, landlords and property managers would be required to consider the value of vouchers or housing subsidies. The value of any value of vouchers or housing subsidies would be included as income/dedicated rent.

The maximum penalty of violating this ordinance would be increased from \$500 to \$2000

Violation of this ordinance would remain a municipal civil infraction, but the maximum penalty would be increased from \$500 to \$2000, plus all costs of enforcement.