

**LEXINGTON-FAYETTE URBAN COUNTY**

**[ HUMAN RIGHTS  
COMMISSION ]**



**FY2009  
ANNUAL  
REPORT**

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## **PURPOSE**

It is the purpose of the Lexington-Fayette Urban County Human Rights Commission to safeguard all individuals within Lexington-Fayette Urban County from discrimination because of race, color, religion, national origin, sex, age, disability, familial status and sexual orientation/gender identity in connection with housing, employment and public accommodations and to effect the provisions and purposes of the Kentucky Civil Rights Act (K.R.S. Chapter 344), Urban County Ordinance 199-94 and 201-99, provision 7.17 of the Lexington Fayette Merger Charter of 1974, and any other laws enacted by the Lexington-Fayette Urban County relating to the Lexington-Fayette Urban County Human Rights Commission.

The Lexington-Fayette Urban County Human Rights Commission shall act to encourage and effect the guarantee of equal rights to all citizens, which rights are assured by the Constitution and the Laws of the United States, of Kentucky, and of Lexington-Fayette Urban County and to serve as an investigative, consultative, educational, persuasive, and enforcement agency in order to guarantee equal opportunity for all people of the City of Lexington and Fayette County.

## **UNIQUENESS**

The Lexington-Fayette Urban County Human Rights Commission is an independent chartered agency of the Lexington-Fayette Urban County Government, with three (3) specific functions: (1) to receive complaints, conduct investigations, hold hearings and have such studies made as will enable the Lexington-Fayette Urban County Human Rights Commission to carry out the purpose of the Ordinance; (2) to promote and secure a mutual understanding and respect among all ethnic groups in Fayette County; and (3) to act as conciliator in controversies involving inter-group and inter-racial relations.

## **VALUES**

The Lexington-Fayette Urban County Human Rights Commission stands for equal rights, equal opportunity, justice and fair enforcement of the ideals. To carry out this belief, we must strive to follow through on our commitments, maintain objectivity and fairness and provide prompt, responsive and patient attention to all those who seek our assistance. We must respect differences in values and behaviors, support one another, and seek alternatives to divisive conflict. We must commit to meet and exceed contractual, service, and mission related requirements by setting clear expectations and maintaining measurable standards. In addition, we must serve all people in an impartial and fair manner. Equality for all - it's a right, not a privilege.

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LEXINGTON-FAYETTE URBAN COUNTY  
HUMAN RIGHTS COMMISSION

February 2, 2009

To: The Honorable Jim Newberry  
Mayor, Lexington-Fayette Urban County

The Honorable Members of the Urban County Council  
Lexington-Fayette Urban County

Dear Mayor Newberry and Members of the Urban County Council:

On behalf of the Lexington-Fayette Urban County Human Rights Commissioners and Staff, I am pleased to share with you our annual report. Our Commission continues to experience progress and many challenges.

We continue to protect to our community from unlawful discrimination by our compliance enforcement efforts, but we also continue to combat discrimination through community outreach and education. It is through these efforts that we not only try to remedy unlawful discrimination, but just as important, we also promote the prevention of such acts.

The challenges that we face include combating more subtle forms of discrimination with decreasing resources.

The community can look forward to our continued efforts to provide the best of services possible given our staffing and resources in our efforts to make this community safe and vibrant where all people can live, work, learn, and raise their families in a shared quality of live by promoting an appreciation of diversity and encouraging positive race relations.

We are proud of the direction the Commission and its staff is taking and we are very grateful to you and the Urban County Council for your high expectations and your continuous support.

Respectfully Submitted,

A handwritten signature in black ink that reads "William D. Wharton". The signature is written in a cursive style and is positioned to the left of a vertical line.

William D. Wharton  
Executive Director

## COMMISSIONERS

Lexington-Fayette Urban County Commissioners are responsible for enforcing the local anti-discrimination laws. When implementing this role, the Commissioners perform four major functions: 1) policy making; 2) oversight; 3) adjudication; and 4) public liaison.



J. Scott Benton  
Appointed 2008



Rabbi Marc Kline  
Chair  
Appointed 2005

Luis Wayne Sanchez  
Treasurer  
Appointed 2006



Tracy Dennis  
Appointed 2008



Lindsay Mattingly  
Appointed 2009

Jenny Sutton-Amr  
Co-Vice Chair  
Appointed 2005



Chris Ford  
Appointed 2008

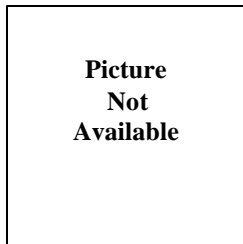


Eli Mertens  
Appointed 2008

Biby Tinajero  
Secretary  
Appointed 2005



Gwen Godfrey  
Appointed 2005



Nadia Rasheed  
Appointed 2009

Melanie Tyner-Wilson  
Co-Vice Chair  
Appointed 2005



Beth Hartmann  
Appointed 2008

Alicia Vinson  
Appointed 2008



## Committees

The Commissioner's organization is made up five (5) committees. The 2009 Committees were as follows:

### Executive Committee

Rabbi Marc A. Kline, Chair  
Jenny Sutton-Amr, Co-Vice Chair  
Melanie Tyner-Wilson, Co-Vice Chair  
Luis Wayne Sanchez, Treasurer  
Magdalena "Biby" Tinajero, Secretary

### Budget Committee

Wayne Sanchez, Chair  
Eli Mertens, Co-Chair  
Scott Benton

### Housing Committee

Chris Ford, Chair  
Alicia Vinson, Co-Chair  
Scott Benton  
Beth Hartmann  
Biby Tinajero

### Community Relations Committee

Melanie Tyner-Wilson, Chair  
Beth Hartmann, Co-Chair  
Tracy Dennis  
Eli Mertens  
Jenny Sutton-Amr  
Biby Tinajero  
Alicia Vinson

### Personnel & Policy Committee

Jenny Sutton-Amr, Chair  
Tracy Dennis, Co-Chair  
Chris Ford  
Wayne Sanchez

## GOODBYE AND GOOD LUCK!

During the fiscal year, the Commission lost several Commissioners due to terms expiring. Commissioners Wardell Johnson and Gloria Rie terms expired January 1, 2009. We would like to thank them for their invaluable service to the Commission. They will be greatly missed.



Wardell Johnson  
Appointed 2005

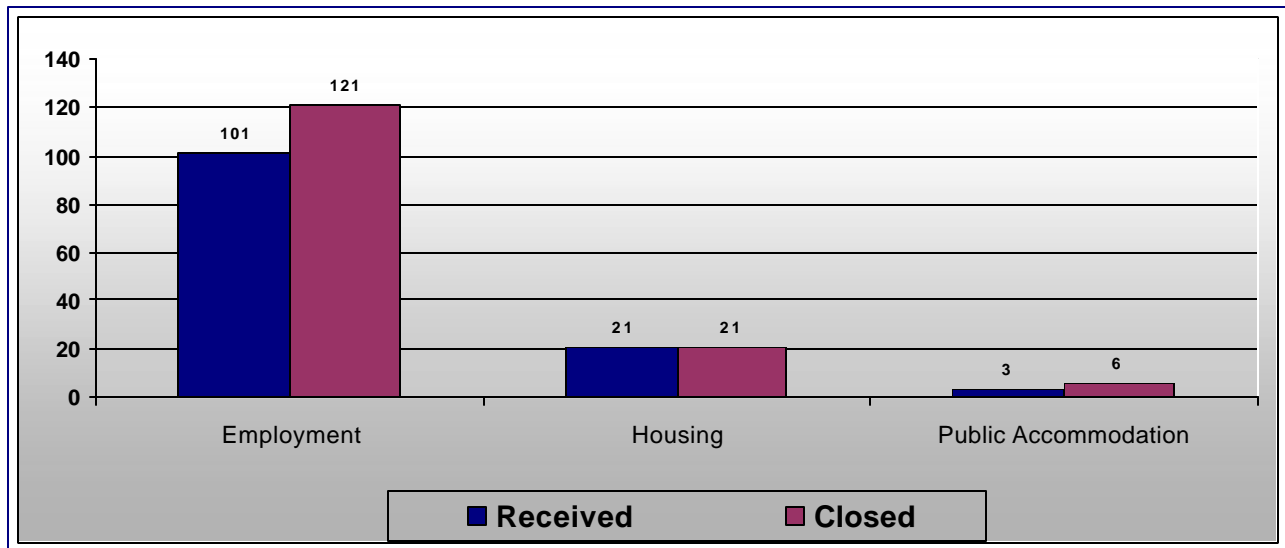


Gloria Rie  
Appointed 2001

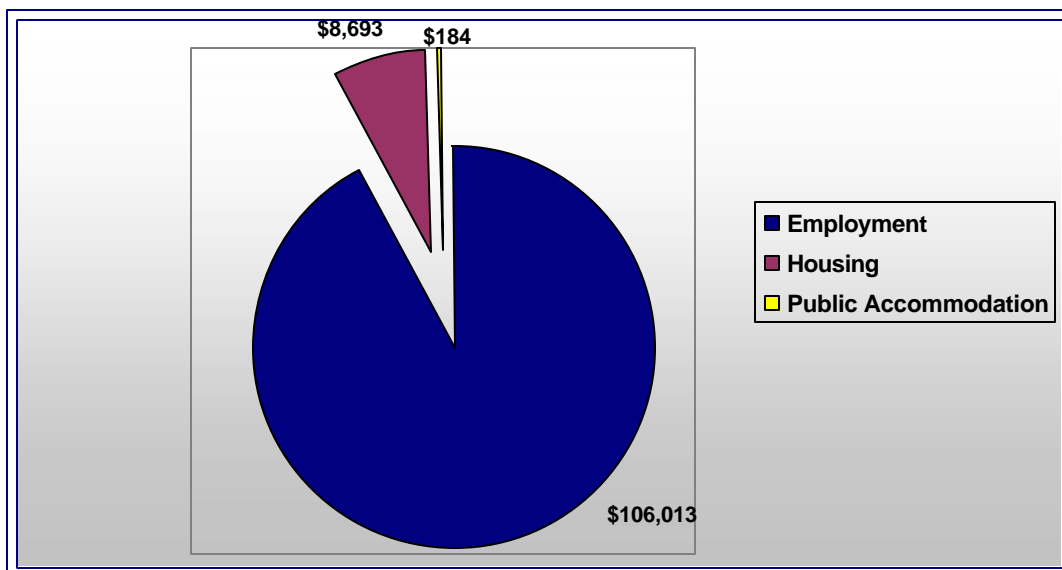
## COMPLAINT ENFORCEMENT

The Lexington-Fayette Urban County Human Rights Commission enforces the local anti-discrimination ordinance in employment, housing, and public accommodations. When someone files a complaint with our office we counsel with that person and if that person elects, a formal complaint is filed. We conduct a fair and impartial investigation and issue a finding based on the evidence.

**Complaints Received and Closed**  
FY 2009 (July 1, 2008 to June 30, 2009)



**Monetary Benefits Awarded to Charging Parties**



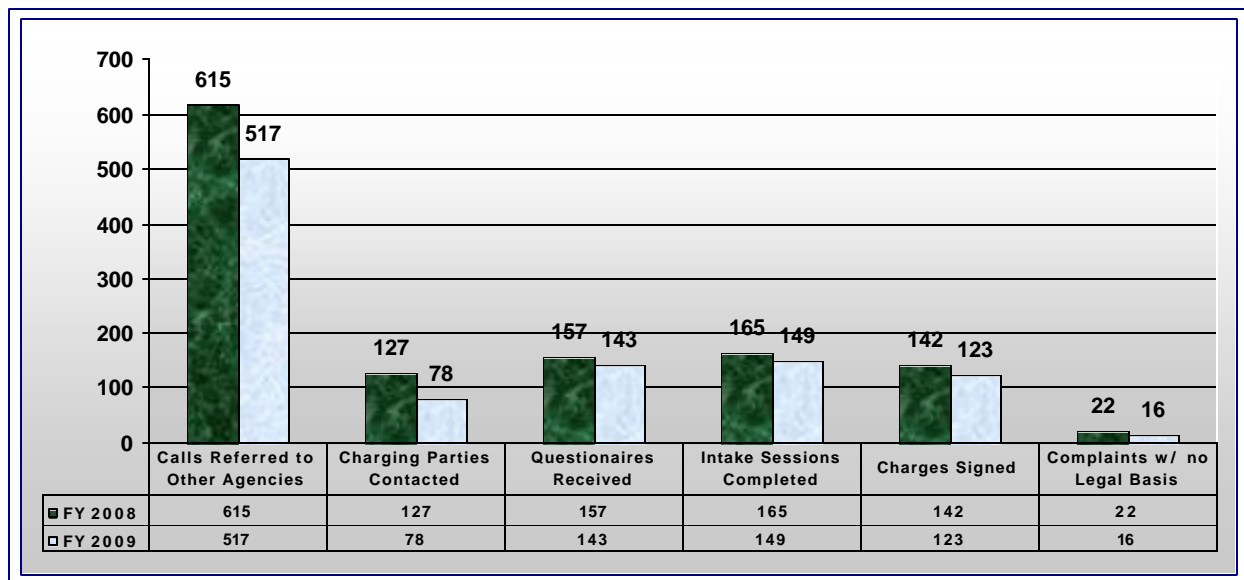
## Customer Service Improvements

The commission recognizes that the complaint process can be a challenging and sometimes daunting process for Charging Parties and Respondents. In 2007 the Commission staff undertook a series of measures to improve customer service.

We have undertaken a review of all complaint processing policies and procedures and updated policies as appropriate. Staff has focused on shortening the days of processing complaints and instituted practices to make sure we have better communication with the parties during the investigation.

The Commission's policies and procedures are summarized in the Customer Service Policies and can be found on the Commission's website: [www.lfuchrc.org](http://www.lfuchrc.org)

**FY2008 v. FY2009 Intakes and Referrals**



## Information and Referral

Many individuals contact the Commission needing services beyond the scope of our authority. Many of the contacts involve housing issues, especially landlord-tenant. In FY2007 we updated our Rental Housing Guide and posted the changes to our website. In addition, we updated our information resources and made necessary referrals to other agencies on non-jurisdictional employment and housing, health and human services, disabilities, education, domestic violence, and public safety.

## EDUCATION AND OUTREACH

The Commission staff continues to provide presentations, media interviews and training sessions on a variety of topics in order to fulfill the section of the Commission's mission relating to community education. These services are tailored to meet the needs and requests of a variety of audiences throughout the community.

During this fiscal year, the staff conducted many presentations, trainings, site visits and media contacts. This year, the strongest demand was for information concerning housing related issues. Other areas included harassment-free work environments, diversity, demographic change, law enforcement and community relations.

### Town Hall Forum

Almost 50 individuals attended the Commission's Town Hall meeting ***"UNEQUAL PRACTICE: How Race Affects Lexington Mortgage Lending"*** on Wednesday, April 22, 2009 at the William Wells Brown Elementary School community room. The purpose of the meeting was to gather community input about the Commission's Staff Report ***"Regardless of Income African-Americans Remain at Risk of Receiving High Cost Mortgage Loans"***.



Commissioner Chris Ford, Housing Committee Chair



The forum began with a welcome and statement of purpose by Chris Ford, Chair of the Commission Housing Committee and who is also President and CEO of REACH, Inc. Chair Ford then introduced our moderator for the evening Renee Shaw, a producer and show host with KET. Ms. Shaw introduced the panel: Abdul Muhammad – Fifth Third Bank, Raquel Williams – Guide Realty Inc. and National Association of Real Estate Brokers, Art Crosby – Lexington Fair Housing Council and Karen Jones – Staff Attorney with Legal Aide of the Bluegrass. Each panelist shared their views of the issue from their personal and occupational prospective and then the discussion was open to the audience with our panelists remaining as resources to answer questions and comment on responses.

#### Sample of Issues Raised During Forum

- The need for better financial education programs
- Better outreach programs to reach the needy
- Community responsibility to respond effectively to this issue
- Problems of reaching the audience that needs assistance
- Advertising by other lenders more effective than local lenders
- Need for financial education in our public schools and other opportunities outside of the home
- Banks should consider partnering with non-profits to reach the targeted audiences
- Better oversight of lenders by supervisors and brokers
- More detailed reporting on individual lending activity by individual institutions

## Fair Housing



Jeffery Gatica, Senior Advisor for Community Development, Federal Reserve Bank of Cleveland

The Commission staff continued its education and outreach efforts with regards to fair housing issues and in particular, predatory lending and disabilities issues. Members of staff serve on the state-wide Kentucky Predatory Lending Prevention Committee and on the local anti-predatory lending work group. The groups are active in promoting an educational campaign to combat predatory lending and providing needed services to victims via an anti-predatory lending hotline that is maintained by the Kentucky Housing Corporation that convened the work groups.

More than 150 people attended the Commission's 13<sup>th</sup> Annual Fair Housing Luncheon on April 7, 2009, at the Marriott Griffin Gate Resort. Mr. Jeffery Gatica, Senior Adviser for Community Development, Federal Reserve Bank of Cleveland, was this year's guest speaker. Mr. Gatica spoke about the Federal Reserve Bank and their programs offered.



Harrison Elementary School Coloring Contest Winners



William Wells Brown Elementary School Coloring Contest Winners

Twenty third-graders also attended the luncheon as part of the Fair Housing Coloring Contest. Harrison Elementary School and William Wells Brown Elementary School each selected the top 10 coloring contest finalists to send to the luncheon. All students were honored individually at the event with the top student from each school receiving a grand prize.

## Outstanding Achievement in Fair Housing Award

This was the third year for the Outstanding Achievement in Fair Housing Awards, which recognizes individuals and organizations that have shown exemplary performances in fair housing practices. This year's recipients were Mr. Edward Dove, the Black Church Coalition of the Bluegrass and Mr. Harry Sykes.

Recipient Edward Dove practices civil litigation and education law in Lexington and serves as the Commission Attorney for the Lexington Human Rights Commission. Mr. Dove was the attorney in *Elsie Speed v. Sonnet Cove Apartments*, which was the first housing discrimination case in Kentucky that resulted in a successful verdict for a local human rights



Rabbi Marc Kline, Commission Chair, Recipient Edward Dove, and Commissioner Chris Ford, Housing Committee Chair

commission.

The award was also presented to the Black Church Coalition of the Bluegrass, which provides financial assistance to individuals and families facing financial crises. The Coalition has provided over a million dollars of financial support to about 16,000 families, with the majority of the support being housing related.



Rabbi Marc Kline, Commission Chair, Shirylyne Mosely, Black Church Coalition of the Bluegrass and Commissioner Chris Ford, Housing Committee Chair

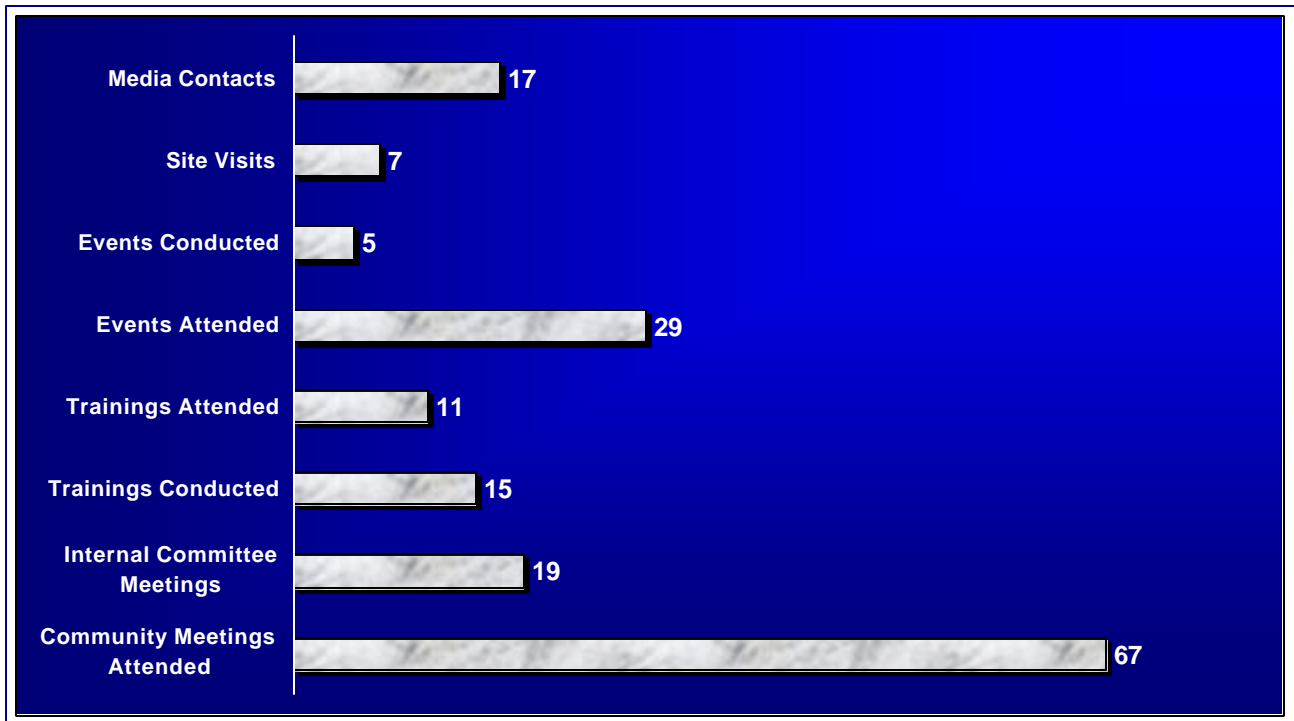


Rabbi Marc Kline, Commission Chair, Recipient Harry Sykes and Commissioner Chris Ford, Housing Committee Chair

The final recipient of the award was Mr. Harry Sykes, who has been a member of the community since 1954 and supported the creation of the city-county human rights commission that created one of the first "open housing" ordinances in the south.

Past recipients of the award include Lillian Gentry, Robert Jefferson, Heritage & Canterbury Apartments and the Lexington Apartment Association.

### FY2009 Community Relations Activities





## STAFF



William D. Wharton  
Executive Director



Raymond A. Sexton  
Compliance Director



Tami J. Reed  
Senior Office Manager



Tiffany A. Tatum  
Investigator II



Emily J. Williams  
Investigator I



Edward E. Dove  
Commission Attorney

## LEXINGTON-FAYETTE URBAN COUNTY HUMAN RIGHTS COMMISSION



### **Contact**

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