



Mission Statement

The mission of the Civil Rights Division is to reduce discrimination in employment and housing through education and enforcement of state and federal laws.

Vision

The vision of the Civil Rights Division is to help create an environment in which the people of the State of Texas may pursue and enjoy the benefits of employment and housing that are free from discrimination.

Texas Commission on Human Rights Commissioners

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Civil Rights Division Issues Charges of Discrimination to Three Respondents

Failure to Make a Reasonable Accommodation of a Disability

John Rhymes is a disabled veteran. Rhymes is 6'4" with a long torso, which requires him to take a different approach than most people upon entering and exiting a vehicle.

Rhymes had an assigned covered parking space, but there was insufficient room to accommodate his disability. Given the circumstances of his situation, he would usually park in the complex's open, public spaces, parking in the middle of two spaces, so that he would have room to fully open his car door. When no spaces were available,

Rhymes would be forced to park farther from his unit or in areas not designated for parking.

Rhymes' spouse, on his behalf, requested in writing an accommodation of a parking space for a disabled person from their homeowner's association (HOA).

Unfortunately, the request was denied by the HOA.

Following the issuance of a Charge of

Discrimination by the Civil Rights Division (Division) and an election of judicial determination, the Office of the Attorney General of Texas has filed a lawsuit on behalf of the Division against the HOA for failure to make a reasonable accommodation



Handicap obstruction. Photo courtesy of Civil Rights Division

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Equal Opportunity Employer/
Program Auxiliary aids and
services are available upon
request to individuals with
disabilities.

Relay Texas: 800-735-2989
(TTY) and 711 (Voice).

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**Let's Work Together
for Fair Housing**

in violation of Tex. Prop.
Code §301.025(c), and Tex.
Admin. Code §§ 819.132 and
819.134, in Dallas County
district court (Cause No. DC-
14-14183).

Disability Discrimina- tion in Rental

Julia Lyles has a disability
that substantially limits
her ability to walk without
assistive equipment and
requires the assistance
of a support animal. Lyles
was interested in a large
studio apartment for rent
at \$290.00 per month plus
utilities, which was advertised
by Thien Pham.

Lyles called Pham to inquire
about the apartment for
rent. During the course of
the phone call, Pham asked
if she was employed. Lyles
explained that she receives
Social Security Disability
Income. At that point, Pham
told her that he does not
rent to people who are
on disability or who are
disabled, and then hung up.

In a written statement
submitted by Pham, he
stated that he informed
Lyles that he could not rent
to a disabled tenant with
a wheelchair, because the
subject property was not
wheelchair accessible. Lyles
asserts that nothing was
ever said about using a
wheelchair.

The Division issued a
Charge of Discrimination
that concluded Pham
discriminated against Lyles
in housing rental based on
her disability in violation of
Tex. Prop. Code §301.025(a).
No election of judicial
determination was made;
therefore, this matter will be
heard in an administrative
proceeding conducted
by the Texas Workforce
Commission's Special
Hearings Department.

Discrimination Based on Familial Status

Secluded Acres Recreational
Vehicle Park (Secluded
Acres) is a recreational
vehicle park with 40 available
“pads” that serve as parking
and set-up facilities for
recreational vehicles. Ken
C. Miller Enterprises, L.L.C.
(Respondent) is the entity
that owns and operates the
facility.

Greater Houston Fair
Housing Center (GHFHC) is
a private, not-for-profit civil
rights organization qualified
as a Fair Housing Initiatives
Program by the United States
Department of Housing and
Urban Development. On
three separate days, GHFHC
conducted rental tests on
Secluded Acres to determine
whether Secluded Acres
engaged in discriminatory
housing practices.

GHFHC's first tester
contacted Secluded Acres
and inquired about short-term
accommodations at Secluded
Acres for a woman and her
husband. Ken Miller spoke
with the tester and informed
the tester that no children
are allowed at Secluded
Acres. Miller informed
the tester that the reason
for the exclusion is that
Secluded Acres is intended
as a quiet, secure location,
without loud music or noisy



Support dog and owner. Photo courtesy of Thinkstock

children. The second tester contacted Secluded Acres and inquired about long-term accommodations for a woman and her husband. The tester spoke with Miller. Miller informed the tester that children are not allowed at Secluded Acres and that the facility is limited to adults, the elderly and retired.

The third and final tester contacted Secluded Acres and inquired about long-term accommodations for a woman and her husband, who were retiring in East Texas. The tester spoke with Ken Miller, who advised of the rates and terms, and also about exclusions concerning children and outside pets.

During the course of testing, GHFHC also learned that Secluded Acres advertises through an internet address at www.secludedacresrvpark.com. At the time of the testing, the website

advertised the park as “Adults only.”

Without regard to Complainant’s protected status, the Respondent offered certain terms of the rental agreement that included the prohibition of children on the subject property; and per Miller’s own admission he does not allow children, but does allow adults without children to

rent.

Upon review of all evidence the Director of the Texas Workforce Commission Civil Rights Division charged the Respondent with engaging in discriminatory housing practices in violation of Tex. Prop. Code §301.021(b); §301.022 and §301.043(3).

Following the issuance of a Charge of Discrimination by the Division and an election

of judicial determination, the Office of the Attorney General of Texas has filed a lawsuit on behalf of the Division against the Respondent for discrimination in rental based on familial status in violation of Tex. Prop. Code §301.021(b) and 40 Tex. Admin. Code §819.121 in Gregg County district court (Cause No. 2014-2403-CCL2). ■



Recreational vehicle park. Photo courtesy of Thinkstock

TWC Civil Rights Bill Watch: The 84th Texas Legislative Session

The TWC Civil Rights Division will monitor selected bills related to civil rights and Texas Fair Housing during the 84th session of the Texas Legislature that started

Jan. 13, 2015.

The list of relevant housing bills include:

- House Bill 476 by Dutton, Harold (D) – Relating to the consequences of

successfully completing a period of deferred adjudication community supervision.

You may access bill text and other information for

these bills by accessing the following website: <http://www.capitol.state.tx.us/>. Type the bill number into the search field for full text and additional details. ■

Mental and Behavioral Health Training

A Call for Help

The Civil Rights Division often interacts with people whose lives have been disrupted by the unexpected loss of employment or housing. Psychologists point out serious mental health consequences of job loss or losing one's home can be devastating. Individuals can be burdened with thoughts and feelings of hopelessness, including thoughts so severe as suicide.

To better serve the people of Texas, the Civil Rights Division (CRD) recently requested mental and behavioral health training that was provided by Austin Clubhouse, Mental Health America of Texas and the SIMS Foundation. Through this training CRD staff gained a higher understanding of people affected, how to identify warning signs, available resources and how to best handle such situations. Knowing how to recognize these signs is the first step in taking action that could save someone's life. In fact, CRD staff members, Maria Cervantes, Marcia Anavitarte-Jordan, and Julie Smith had just such an incident and utilized this training.

Recently, an individual called the Civil Rights Division very upset with her current situation and circumstances and stated she, "...wanted to kill herself" to Mrs. Cervantes.

A true professional, Ms. Cervantes stayed calm with the caller and kept her talking to retrieve valuable information all the while notifying and obtaining assistance from fellow co-workers Ms. Anavitarte-Jordan and Ms. Smith. Ms. Cervantes successfully calmed the caller enough to obtain the caller's permission to include Ms. Anavitarte-Jordan on the call. While Ms. Anavitarte-Jordan spoke with the caller, she was able to obtain the caller's full name, address, and

contact information of an immediate family member(s) in the caller's area. A call was made to the caller's husband to inform him of his wife's immediate need for help.

Ms. Anavitarte-Jordan then passed the caller's information to Ms. Smith who, on a separate phone line, dialed 911. The 911 dispatcher then transferred Ms. Smith to the city where the caller resides to request a wellness check from the city's local law enforcement. At that point, the 911 dispatcher confirmed to Ms. Smith that two police officers had been sent to the caller's home address.

Minutes later, the caller informed Ms. Anavitarte-Jordan that the police had arrived, but she was worried that the police were going to "take her away." Ms. Anavitarte-Jordan calmly assured the caller that she may need the help to get through this time in her life. When Ms. Anavitarte-Jordan confirmed the caller was safe and talking with police officers, she and the caller disconnected the call.

However, that wasn't the end of the story...Ms. Anavitarte-Jordan and Ms. Smith later phoned the caller's husband to follow up and to be of

any further assistance to him and his family. Together, the CRD staff formed a professional triage team of support and protection for the caller and swiftly went into action with the tools needed to save her life, utilizing the training and resources they recently received.

Should you find yourself in a similar situation or know someone who needs help, get in touch with your local crisis line for resources and immediate assistance. Nationally, Call 1-800-273-TALK (8255) to be connected to the nearest crisis center or go to the Texas Department of State Health Services Web page at <http://www.dshs.state.tx.us/mhservices/default.shtm> to search by county to find the crisis center in your area or to the Texas Council of Community Mental Health Centers web site at <http://www.txcouncil.com> to find the crisis number for your area.

Save a Number / Save a Life.

Enter the Lifeline phone number in your cell phone, since it might be hard to remember a phone number in a crisis: 1-800-273-TALK (8255).

Everyone in Texas can be a "gatekeeper" and help save a life by talking about suicide prevention. ■



Tom Keller with Mental Health America of Texas. Photo courtesy of David Halpern

Civil Rights Division: Education Training & Outreach

Upcoming Schedule of Events

The Texas Workforce Commission Civil Rights Division (TWCCRD) is committed to providing training and technical assistance, outreach and education programs to assist employers, employees and other stakeholders in understanding and preventing discrimination. We believe that discrimination can be averted if everyone knows their rights and responsibilities.

Please come and visit with us at the following upcoming scheduled events:

- February 6, 2015, Texas Business Conference, Horseshoe Bay Resort, Horseshoe Bay, TX
- February 12, 2015, Victoria Apartment Association, Victoria, TX.
- February 27, 2015, Texas Business Conference, Holiday Inn, Beaumont, TX.
- March 11, 2015, Builders Association of San Angelo, San Angelo, TX.
- March 13, 2015, Texas Business Conference, Holiday Inn–South Broadway, Tyler, TX.



Civil Rights Division information booth at the Texas Workforce Conference November 2014. Photo courtesy of CRD

No-cost Outreach and Education Programs: TWCCRD representatives are available on a limited basis at no cost to make presentations and participate in meetings with employees and employers, and their representative groups, as well as community organizations and other members of the general public.

TWCCRD Education Training &

Technical Assistance: TWCCRD provides low-cost, fee-based trainings and technical assistance programs throughout the State of Texas. For more information, availability, and training designed for your needs, contact TWCCRD at (888) 452-4778, (512) 463-2642, or CRDTraining@twc.state.tx.us. ■

Civil Rights Division Announcements

“Happy trails to you, until we meet again...”

This article comes with mixed feelings of pleasure and melancholy as we announce the retirement of two of our esteemed employees, Cynthia Washington and Alfredo Nevarez.

Washington has been a CRD Housing Supervisor for six years, and has decided to retire.

Cynthia began her journey with CRD/TCHR 16 years ago as an administrative assistant. She worked her way up to supervisor of housing investigations. She has been very dedicated to serving the people of the State of Texas.

Washington helped train and mentor

many staff members, passing her vast knowledge onto others. Her candor and sense of humor will not be forgotten.

Alfredo Nevarez has also had a tremendous and accomplished career with both the federal and Texas governments. During his career, Alfredo has been a teacher, a U.S. Customs and Border Protection agent and CRD housing investigator, protecting the rights of all Texans and educating future generations. During his tenure with CRD, Alfredo has exhibited investigative expertise and enthusiasm for equality in Texas.



Retiree Supervisor Cynthia Washington with Director Lowell Keig and Manager Vicki Covington. Photo courtesy of Civil Rights Division

Please join us in wishing Cynthia and Alfredo the very best as they ride into the sunset to the next chapter of life's journey. ■