

Fair Housing Center of Southeast & Mid Michigan

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City of Howell Sued for Obstructing Housing for Women Recovering from Substance Use Disorders

On January 27, 2020, Amber Reineck House, its Founder and President, Courtney Atsalakis, and the Fair Housing Center of Southeast & Mid Michigan filed a disability rights lawsuit against the City of Howell, Michigan and two of its officials for engaging in a concerted, ongoing effort to prevent Amber Reineck House from opening a sober living home in Howell. The lawsuit, filed in U.S. District Court for the Eastern District of Michigan, alleges violations of the Fair Housing Act, Americans with Disabilities Act, and Michigan's Persons with Disabilities Civil Rights Act.

Ms. Atsalakis founded Amber Reineck House in 2017, in memory of her sister, Amber Reineck, who died of a fentanyl overdose in 2015. The nonprofit organization is dedicated to acquiring affordable properties in Michigan to provide housing and support services for individuals recovering from substance use disorders, and to give women in recovery a chance to overcome their addiction in an affordable, supportive, community setting.

Amber Reineck House's focus is on opening a sober living home for women in Livingston County—where the only other sober living options are for men. In 2018, Ms. Atsalakis acquired a house in Howell that she intends to open as a home for women recovering from substance use disorders who have completed rehabilitation but need additional support and services as part of their recovery. The home would be operated in partnership with Home of New Vision, a 23-year-old nonprofit organization based in Ann Arbor with a history of successfully managing housing and programs for people in recovery from substance use disorders.

The lawsuit filed this week claims that the City of Howell, Mayor Nick Proctor, and Tim Schmitt, the City's Community Development Director, have taken a series of unlawful actions to block Amber Reineck House from opening the sober living home in Howell because of the disability of the home's future residents. The suit alleges that Defendants took these actions in direct response to significant community opposition to the proposed home, which was based on discriminatory bias against persons recovering from substance use disorders, all of whom are considered to be individuals with disabilities under the law.

The unlawful barriers erected by Defendants to Amber Reineck House's plans have included:

- Imposing and repeatedly extending a discriminatory moratorium on special land use applications that would have allowed unrelated persons to live together in a single-family home, preventing the house from operating;

- Refusing a request by the Amber Reineck House for reasonable accommodations to the City’s zoning requirements for residential neighborhoods; and
- Proposing an amended zoning ordinance, which may be enacted as early as next month, that would impose a host of discriminatory, unreasonable, and onerous burdens on sober living homes and other group homes for people with disabilities.

“I founded Amber Reineck House with the goal of expanding supportive housing opportunities in Livingston County, where no recovery residences are currently available to women,” said Courtney Atsalakis. “The City’s actions have deprived women needing these services of a critical housing opportunity for nearly two years.”

The Fair Housing Center of Southeast & Mid Michigan, after learning of the discriminatory roadblocks the City was imposing on Amber Reineck House and Ms. Atsalakis, opened an investigation into the matter in June 2019. Since then, the Center has taken steps to educate City officials about their obligations under federal and state civil rights laws, expanded its public education and outreach efforts on zoning discrimination against housing for people with disabilities, and to counteract the City’s discriminatory conduct.

“Zoning restrictions that limit community-based housing opportunities for individuals with disabilities, including those recovering from substance use disorders, violate the Fair Housing Act,” said Pam Kisch, Executive Director of the Fair Housing Center of Southeast & Mid Michigan. “The City has illegally denied housing to women in recovery from addiction based on harmful, discriminatory stereotypes about individuals with substance use disorders.”

The lawsuit seeks an injunction allowing Amber Reineck House to open its sober living home in Howell, compensatory and punitive damages, and other relief.

Plaintiffs are represented by Michael Allen, Sara Pratt, and Joseph Wardenski of [Relman Colfax PLLC](#), a civil rights law firm based in Washington, DC, Stephen M. Dane of Dane Law LLC in Perrysburg, OH, and Robin B. Wagner of [Pitt McGhee Palmer & Rivers PC](#) in Royal Oak, MI.

A copy of the complaint is available [here](#). More information on the case can be found here: <https://www.relmanlaw.com/cases-amberreineckhouse>.

More information about Amber Reineck House is available [here](#).

The Fair Housing Center of Southeast & Mid Michigan, founded in 1992, actively protects the civil rights of those who are discriminated against in the rental, sale, or financing of housing through investigation, education, advocacy, and legal action. The FHC takes an average of 160 complaints each year from its eight-county service area – Clinton, Eaton, Ingham, Jackson, Lenawee, Livingston, Monroe, and Washtenaw.

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