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# The Muskegon Chronicle

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MARCH 10, 1999

## Bill would let landlords bar unwed couples

Currently, landlords can't discriminate against potential renters based on marital status.

By Judy Putnam  
CHRONICLE LANSING BUREAU

LANSING - When landlord John Hoffius refused to rent to an unwed couple, he was sued under a state law prohibiting discrimination based on marital status.

Hoffius believes living out of wedlock is a sin, and renting to such couples violated his religious beliefs. The Michigan Supreme Court ruled against him in December.

So on Tuesday, a legislative committee took up a proposed bill to get around that ruling.

It's being criticized as an all-out attack on the unmarried.

"This is the worst assault on rights of single people I have ever seen in America," California attorney Thomas Coleman told the House Constitutional Law and Ethics Committee Tuesday.

Coleman, a Michigan native who specializes in discrimination based on marital status, recently founded a national group, American Association for Single People. He says it will do for single adults what AARP has done for seniors.

The committee heard heated debate on a bill by Rep. Clark Bisbee, R-Jackson, who said his bill would allow landlords to turn away co-habiting couples if it violates their religious beliefs. Landlords shouldn't be required to rent if they "have to go against religion on a business deal," Bisbee said.

But critics argued the bill is more sweeping than that.

It would change the definition of "marital status" to eliminate protection for live-in couples from the entire 1976 Elliott-Larsen Civil Rights Act, including protection from discrimination in jobs and public accommodations.

Coleman said Bisbee's bill is so broad it would even overturn a 1983 Michigan court decision allowing unmarried fathers into the hospital delivery rooms.

But Hoffius told the committee it was important to him not to lease to unwed couples. He rents out three duplexes and one house in Jackson.

"How can I teach moral values to my child then turn around and accept money from someone who is doing something contrary to our beliefs?" Hoffius asked the committee.

"We're not trying to force our beliefs on anyone, but at the same time I would hope that immoral conduct would not be forced on us."

He teaches Sunday School at the Michigan Center Bible Church, a nondenominational Bible-based church.

Attorney James Fleming of Jackson, who represented Kristal McCready and Keith Kerr, the unmarried couple seeking to rent from Hoffius, argued that those with such religious beliefs shouldn't become landlords.

"What are they doing in the business anyway?" Fleming said.

Committee Chairman Mike Bishop, R-Rochester, said he hopes to better define the issue before passing it out of committee. But, he said, anti-discrimination laws should not protect live-in partners, period.

But Rep. Liz Brater, D-Ann Arbor, said eliminating them from the act is a mistake.

"It's a very frightening bill to me, just to start eroding the Elliott-Larsen Act. If you take away the rights of one class of people, where does it stop?" she said.

HOUSE DIVIDED

Bill changes definition of marital status

Measure would allow landlords to exclude unmarried tenants. But foes say it would violate people's rights. Page 3B.

Wednesday

March 10, 1999

REGIONAL NEWS

# House debates redefining 'marital status'

BY CHRIS CHRISTOFF  
Lansing Bureau Chief

LANSING — Supporters call it a legal remedy for landlords who want to follow their religious convictions and deny housing to unmarried couples.

But critics say a House bill would strip single people who live together of protection against discrimination.

The proposed bill pits civil rights advocates against those who say state protections against bias based on race, religion, age, national origin, sex, height and weight shouldn't include protections for cohabitating couples.

The bill, debated Tuesday before a House committee, was drafted by Rep. Clark Bisbee, R-Jackson.

It was a response to a state

## Critics say bill would erode rights; sponsor may alter it

Supreme Court ruling last December that a Jackson apartment owner violated Michigan's civil rights laws by refusing to rent to two unmarried couples.

The landlord, John Hoffius, said cohabitation defies biblical teachings against unmarried men and women living together. Hoffius said renting to unmarried couples would violate his religious beliefs.

The Supreme Court majority ruled that the state's Elliott-Larsen Act of 1976 prohibits discrimination based on marital status, which the court said applies to unmarried couples.

The court ruled that personal

religious beliefs are overridden by the need to eradicate discrimination in housing.

"This ruling goes beyond the intent of the civil rights act. This tramples over the rights of landlords throughout the state," Bisbee told the House Constitutional Law and Ethics Committee.

Bisbee's bill would change the definition of "marital status" in the state's civil rights law to eliminate unmarried couples.

Said Hoffius: "We are not trying to force our beliefs on anyone. On the other hand, I would hope someone's immoral conduct could not be forced upon me and my family."

Thomas Coleman, executive director of the American Association for Single People, said that Bisbee's bill would affect about three million Michiganders.

Coleman said the new definition of marital status would apply to all other civil rights protections. He said the change would strip away protections unmarried couples have in their jobs, in schools and access to public services.

"This is the worst assault on the rights of single people I have seen in the entire United States," Coleman said. "It's using a meat cleaver to perform constitutional surgery."

Coleman said Bisbee's bill would eliminate civil rights protections for common-law couples who are considered legally married by the state but have no marriage certificate.

The bill would be used to discriminate against gay and lesbian couples, said Jeff Montgomery, acting executive director of the Triangle Foundation's Michigan chapter, a gay rights organization.

The committee plans to meet again to discuss the bill next week. Bisbee said he will consider revising the bill.

"We kind of got beat up in there," he said after Tuesday's meeting. "We've got another week to look at it to see what we need to do next."

Chris Christoff can be reached at 1-517-372-8660.

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# Landlord measure denounced in House

## Lawmakers critical of bill that could strip rights of unmarried couples who try to rent

Associated Press

LANSING -- A measure that would let landlords refuse to rent to unmarried couples endured a storm of criticism, including complaints from lawmakers that the bill would allow rampant discrimination.

State Rep. Clark Bisbee, R-Jackson, introduced the bill Tuesday because of a 1998 Michigan Supreme Court ruling.

In the ruling, justices said landlord Julius Hoffius could not refuse to rent to two unmarried couples because that would discriminate against them based on their "marital status," which is illegal under the state's Elliott-Larsen Civil Rights Act.

But critics of the bill said during a committee hearing that Bisbee's bill could strip away civil rights from unmarried couples for housing, employment and education.

Bisbee wants the civil rights act to specify that "marital status" can only mean people who are single, lawfully married, widowed, divorced or separated -- but not those who are living together.

He compared Hoffius' case to a nun being forced to rent to an unmarried couple, saying Hoffius was one of "a small minority of landlords who must be protected."

But state Rep. Liz Brater, D-Ann Arbor, disagreed. "Under this bill, someone could be fired from their job if they're living with someone but not married to them," she warned.

Thomas Coleman, executive director of the Los Angeles-based American Association for Single People, called the bill "a rush job to strip 3 million unmarried Michigan adults of their civil rights."

"This is a meat cleaver approach to delicate legislative surgery," he said.

Jeffrey Montgomery, executive director of the Detroit gay rights group Triangle Foundation, said the bill unfairly targets gays, who can't legally marry in Michigan.

"The current bill further damages the rights of citizens to determine with whom they will live," Montgomery said. "It's one of the clearer examples of intrusive legislation that we can see in this new legislature."

But Hoffius told the House Constitutional Law and Ethics Committee that his religious beliefs do not tolerate cohabiting. The resident of Jackson County's Leoni Township is a member of the nondenominational Michigan Center Bible Church.

"How can I teach these moral values to my children and then turn around and accept money from someone who compromises those beliefs?" he said.

Clifford Schrupp, executive director of the Fair Housing Center of Metropolitan Detroit, said his office has received 80 complaints of discrimination based on marital status in the last 10 years. Most were resolved out of court, he said.

Schrupp added that landlords who live on the same property they are renting already have the right to exclude potential tenants.

"(This bill) makes a mockery out of Michigan's Elliott-Larsen law, that prohibits discrimination based on religion, by attempting to change that law to allow people to legally impose their religious biases on the housing choices of other persons," Schrupp said.

Committee Chairman Rep. Michael Bishop, R-Rochester, said the committee will hold further hearings on the bill.

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