

## ‘Ban the Box’ Law

Johnson County passed a ban the box ordinance on June 14 that removes the requirement for applicants to initially disclose any criminal history. The idea is, employers won't be able to discriminate against ex-felons.

Many job applicants who check the box on criminal history won't even get a callback for the position they are seeking. This premature weeding out leads to inherent discrimination against African-American men and other people of color because it disproportionately affects them. Discrimination such as this leads to poverty and more inclination for these individuals to commit more offenses again — just to survive. Therefore, the county's decision to pass the measure was rightful and just. It allows job applicants with criminal histories to have a higher chance of being able to contribute to their community. Other counties should do the same.



According to an article published earlier this month by *The Daily Iowan*, “The supervisors’ action requires that applicants be selected for interviews before being asked about their criminal records. This is in an attempt to base the selection of applicants on job qualifications and skills, not criminal history.” By basing these applicants on their actual qualifications and skills, it gives them a fighting chance to be fully considered for the jobs they have applied for instead of being immediately disregarded without any consideration for how well these applicants would be able to perform the duties.

Individuals are sent to prison to be reformed and rehabilitated so they come out as functioning, law-abiding citizens. When incarcerated individuals have achieved this, they are released.

So why would we unfairly punish them by disregarding their efforts to create better lives for themselves on job applications? Some may say it's because they are still criminals. But by saying this, people are implying that the whole point of prison rehabilitation is useless and ineffective. Johnson County did right by this 4-0 vote, and other counties and states should follow suit in the effort to end the disproportionate disregard for people of color as they re-enter the workforce.

By banning the box, it delays employers' ability to do background checks. This forces the employers to consider the applicants as actual human beings. Those who have been incarcerated still deserve to be treated with dignity after serving their rightful time and trying to re-enter society and improve their lives as new persons. Supervisor Mike Carberry said, “Obviously, some of these questions are relevant when asked at the relevant time ... However, not at the beginning, where that knowledge could prejudice the hiring or not hiring of an applicant.”

Statements like these are respectable and right regarding the ban-the-box movement because it gives ex-criminals the opportunity to re-enter society as changed persons, looking to make the world a better place in both the economy and civic engagement.

According to an NPR interview with staff attorney Beth Avery, “Studies show that when a person checks the box on an initial application, their likelihood of a callback drops by half if they're a white applicant and to almost one-third if they're a person of color.” Data such as those show exactly why the box on initial job applications is such a problem. It is obvious these individuals are put at a disadvantage straight off the bat, without consideration for the weight of their crime — if it was a misdemeanor or a felony — or an understanding of applicants' explanations of how they have been reformed, among other things.

## This City has the Cheapest Rent in the Country



Think the rent is too high? You might want to hitch a ride to Wichita.

The Kansas city had the lowest average rent in May at just \$634 per month, according to a recent report from real-estate website RentCafe and data analytics firm Yardi Matrix. That's less than one-sixth of what renters pay in New York's Manhattan borough, the most expensive rental market in the country, where the average rent is more than \$4,000 per month.

Other cities with some of the cheapest rents in the country include Tulsa, Okla., at \$669 per month and Toledo, Ohio, at \$699 per month. (The report analyzed apartments across 250 cities located in buildings with 50 or more units ranging in size from studios to three-bedroom units. It covered cities with populations over 100,000 people and a rental stock of 2,900 apartments.)

But chances are their rent hasn't increased by a whole lot recently for renters from Wichita to the Big Apple. The average rent nationwide only increased 2% over the past year in May to \$1,381 per month — the smallest annual rental growth since 2010. In many parts of the country, including Manhattan, Chicago and Austin, Texas, the average rent is the same now as it was a year ago, according to researchers.

In these cities "large numbers of new apartments are giving renters more options to choose from, which results in price concessions," the report noted.

However, some of the country's most expensive markets have continued to experience above-average rent hikes, thanks to the outsized demand for housing. In Los Angeles, the average rent now stands at \$2,337 per month, which is 4% higher than a year ago. Rents swelled even more in Denver — up 4.7% to \$1,566 per month over the past 12 months.

And in many smaller housing markets, an improved job market has created a major housing crunch. Midland and Odessa — two cities at the heart of Texas' petroleum country — witnessed the fastest growth in rental prices, with the average monthly rent in both cities skyrocketing by more than 35% over the past year. Unsurprisingly, these two cities are also adding jobs at a fast clip.

Generally speaking, rental growth is more concentrated among the smaller cities and towns across the country, researchers said. "People are fleeing larger and more expensive cities for more affordable ones," the report noted. "However, these economic and demographic shifts often drive housing prices up in those markets."

## Universal Legal Representation in Evictions

A “Right to Counsel” measure guaranteeing legal representation to any renter facing eviction appeared set to win approval Tuesday night.

Proposition F would make San Francisco the first jurisdiction to adopt a voter-driven initiative providing a universal right to counsel for tenants. In New York City, a similar bill was signed into law by the city’s mayor last August.

The measure, which required majority voter support, had 55 percent of the vote as of 11 p.m. on Tuesday.

In San Francisco, where a majority of landlords are able to afford attorneys but some 80 percent of tenants undergo eviction proceedings without representation, the positive vote was a breakthrough, according to Prop. F’s proponents.

The current system is dependent on a number of pro-bono attorneys distributed among the City’s tenant advocacy organizations and has long been unable to meet the growing demand from tenants seeking legal assistance, according to Prop F.’s proponents.

Deepa Varma, executive director of the Tenants Union, said universal representation for tenants has been a “dream” of the organization for “many, many years.”

“The Tenant’s Union believes organizing is the beginning, and organizing is the power. But when you are facing a judge as a tenant, and you are alone, it doesn’t look good,” Varma said. “This is a historic moment for the country, but it’s looking pretty good that we are changing the conversation around housing and what everybody needs. I’ll see you in court.”

Prop F. will task The City with establishing, running and funding a program to provide full legal representation to all tenants facing an eviction within 30 days after the notice is served or upon receipt of an unlawful detainer complaint. Prop. F does not apply to cases in which a landlord or master tenants lives in the same unit as the tenant facing eviction.

The City Controller estimated that \$4.2 to \$5.6 million will be required to fully fund the program. The Mayor’s Office of Housing and Community Development has 12 months to work out the details of the program’s implementation, but proponents have recommended that resources be used to fund existing tenant advocacy agencies that provide pro-bono legal representation.

Formal opposition to Prop. F came from the San Francisco Apartment Association, which has argued that evictions are already “highly regulated” in San Francisco and that the measure would make “Just Cause” evictions — such as non-payment of rent — more difficult for landlords as well as take away money from The City’s General Fund.



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## Do Not Falsify Your Pitbull as a Service Animal in Oklahoma

Paid-for "certification" of service animals — bought online or anywhere else — never passed the smell test, and now it doesn't pass the legal test in Oklahoma.

Deanna Fields, executive director of the Manufactured Housing Association of Oklahoma, brought a new law to my attention after I'd reported difficulties surrounding service animals, federal fair housing law and the Americans with Disabilities Act.

Gov. Mary Fallin signed H.B. 3282 May 1. It goes into effect Nov. 1. The law, by Rep. Chris Kannady, R-Oklahoma City, and Sen. Kim David, R-Porter, has received no media attention, despite recent violent dog attacks and increased scrutiny of certain breeds.

"Tenants saying their pit bulls are service animals by buying bogus certification over the internet will be assessed a penalty," Fields said in an email. "A number of states have (or) are in the process to address this abused issue. Proud to say we got ours passed!"

She said it came thanks to "collaboration with the apartment association and our manufactured home association. It also removes liabilities for landlords, which was a huge concern even in our manufactured housing parks."

I asked how the state law fit with the federal Fair Housing Act and Americans with Disabilities Act, since federal usually trumps state.

"It will have no bearing on the broad language of the ADA/Fair Housing Act," she said. "It basically addresses bogus certification and removes liability from the landlord and can penalize the tenant for falsifying their 'pet' as a service animal. Enforcement is through the legal system."

Fields added: "It's the insurance companies that prohibit breeds that are classified as 'dangerous' breeds i.e., pit bulls, if the landlord wants liability insurance for his property. So to remove the liability for the service animal is a relief for the insurance companies."



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