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Court upholds landlord rule limiting kids

By Joanne Maliszewski
staff writer

Landlords can restrict families with children to designated buildings in an apartment complex without necessarily violating the Michigan Civil Rights Act, the state Supreme Court has ruled.

In a 6-1 decision on Jan. 29, the state Supreme Court upheld a 1983 Michigan Court of Appeals ruling and an earlier Oakland Circuit Court decision favoring the Bemco Corp., owner of Mulwood Apartments in Farmington Hills. Bemco also owns Fairmont Park apartments in Farmington Hills, Aldingbrook in West Bloomfield and Waldenwood in Southfield.

The state Department of Civil Rights first challenged Bemco's rental policies in 1978. In upholding the appeals court ruling, the state Supreme Court said that restricting families with children to certain areas and buildings of a complex does not "per se" violate the state's Elliott-Larson Civil Rights Act prohibiting age discrimination in housing.

The court said its ruling is general and does not specify how many buildings could be restricted for families with children or whether in all cases such restrictions would be lawful.

"IN THE context that this case is presented to us, we cannot now decide what designations or restriction of families may be permissible, but only whether any such restrictions and designations may ever be permissible," the court said.

The court also indicated that "... the civil rights act does not prohibit differential treatment of minors per se where such treatment is reasonably necessitated by the special nature and characteristics of children."

Justice James Ryan dissented. He said the court's opinion "decides nothing" because justices answered an "abstract question" that grew out of tenants' complaints about swimming pool rules for children. The complaints

were later resolved by a change in rules.

"Having no factual component, the court has rendered nothing more than an advisory opinion," Ryan said, noting that the question put before the court "is entirely without reference to facts."

"My colleagues have now undertaken to answer the same question (as posed to the circuit and appeals court), again devoid of any factual underpinnings, by giving the same answer — it depends," Ryan said.

But Bemco attorney Gordon Gold said he felt the court's ruling strikes "a fair balance" between families with children and elderly and single tenants without children.

"They are not prohibiting kids and they never have," Gold said, referring to the Bemco Co.

CIVIL RIGHTS officials are reviewing the court's decision from another angle. "I don't think it says it's perfectly OK under all circumstances," said Janet Cooper, director of the state Department of Civil Rights legal bureau in Detroit. "I think what happens in the future depends on the facts of the individual case."

"It doesn't say that these kind of exclusions are always OK," she said. Gold, however, said he felt the court's decision indicated that such restrictions would be lawful "if it's for a reasonable business purpose and not discrimination against families with kids."

Cooper added that "in all fairness, we're still trying to figure it out. We will need time to dissect this." Howard Goldberg, an assistant attorney general in the Department of Civil Rights, agreed.

"We're going to take a long close look at it," he said.

But Goldberg added that the court's ruling "isn't quite as dismal as I first thought."

"They did not agree with us on this case," he said. "But they left the door open. It is not a clear-cut decision."



With the help of a small army of American Red Cross volunteers, Botsford General Hospital employees took about 45 minutes out of their day to give blood.

Blood: Employees give their share in pumping up precious supply



Botsford employee Donna Seika provides her medical history to Red Cross nurse Marilyn Nowland before giving blood.

At least 1,000 pints of blood a day are needed from donors just to avoid shortages in the five-county area of southeastern Michigan.

"If we collect half of that it's not a good day," said Cliff Taylor, a Red Cross regional representative for blood services in Detroit.

On two donation days in the last couple of weeks, Botsford General Hospital employees contributed at least 300 pints to the Red Cross cause, said Russ Tuttle, hospital public relations director.

"The Red Cross really has some shortages," said Bev Weiss, Botsford's operational manager in human resources, who helped coordinate the employee blood drive.

Although the hospital has publicly advertised blood drives in the past, Weiss said "public advertising didn't really bring in any help."

To keep blood donations coming, however, hospital officials approved an incentive program — a half-day off — for employees who participate in the Red Cross program.

Despite the hospital's incentive program, Taylor made it clear that the Red Cross never "provides an incentive to give blood."

At least 1,000 pints of blood are needed a day to avoid a shortage in southeastern Michigan.

"We have never paid a blood donor in our history," he said, despite recurring blood shortages.

Compared to January 1984, Taylor said, blood donations this January are down about 2-4 percent.

When blood is collected it is shuttled every two hours to the Red Cross' Detroit office where it is put through a series of lab tests. Even though donors generally have a card designating their blood type, Red Cross technicians double check the type to be on the safe side, Taylor said. The blood is also tested for hepatitis and syphilis, he added.

When tests are completed, the blood goes to the Red Cross distribution department where it is shipped to hospitals in Oakland, Wayne, Macomb, Washtenaw and St. Clair counties, Taylor said.

Smoking blamed for house fire

Careless smoking has been blamed for a fire in a Farmington Hills house last Wednesday evening which caused an estimated \$11,500, according to fire officials.

Fire was coming out of the living room window of the house owned by Terry and Myra Goodman when firefighters arrived on the scene at 21525 Hancock just after 9 p.m., fire officials said.

"There was a smoke detector in the house but it was poorly located and didn't function," said Fire Chief Richard Martineau.

Goodman apparently was asleep downstairs while his wife and 3-year-old son were upstairs when the fire broke out, fire officials said.

Neighbors contacted the Livonia Police Department when they called the

911 emergency number which is unavailable in Farmington Hills. The call was transferred to a Farmington Hills dispatcher. Goodman's wife also called the Farmington Hills fire department when she ran out of the house with her son.

Terry Goodman, who was asleep on a couch downstairs when the fire broke out, was treated at the scene for smoke inhalation, fire officials said.

Firefighters said they plan to meet with residents in the area to discuss careless smoking and the proper number to call in case of an emergency.

Farmington Hills residents are reminded that the city does not have a 911 emergency system. Residents should call 477-0911 to report fire, medical or police emergencies.

MetroVision strives for an 'A'

By Joanne Maliszewski
staff writer

MetroVision cable company has made a "100 percent" improvement in its response to customer service calls and complaints.

That's the gist of a report sent to be made to the Southwestern Oakland Cable Commission by executive director Lark Samouelian.

"The biggest improvement has been since the rate increase," Samouelian said, referring to MetroVision's Feb. 1 rate increase.

When considering MetroVision's request for an increase, SWOCC officials several months ago indicated their continuing concern was the cable company's service performance.

BUT SAMOUELIAN, who serves as the liaison between SWOCC and MetroVision, said she has noticed an improvement in the company's response to customer complaints and service calls.

"We have less than 1 percent of concerns which are not taken care of — and that's pretty good," she said.

The major complaint from subscribers has been the company's phone system, Samouelian said. Although MetroVision has improved its phone system, many residents still complain about not getting through or getting busy signals.

"Many people are telling us that they can't get through. I have to challenge that now," Samouelian said. Subscribers shouldn't hang up when they get a busy signal, she said. Metro-

Vision has an answering system, much like the airlines, which allows the caller to be put on hold while operators are answering the calls on a first-come, first-served basis.

MetroVision has added personnel as well as an administrative procedure for keeping track of complaints, Samouelian said.

When MetroVision receives a service call, a crewmember is sent out within 48 hours, said Bob McCann, MetroVision general manager.

That doesn't necessarily mean a service problem will be solved in two days because it depends on what the problem is, McCann said.

When subscribers have technical, installation or billing problems, they will be directed to that particular department, McCann said.

But sometimes subscribers call the SWOCC office in Farmington City Hall instead of MetroVision. In those cases, a complaint procedure is implemented, Samouelian said.

A complaint form is filled out when SWOCC gets a call, she said. Either Samouelian or assistant Judy Kral then informs MetroVision of the complaint.

At the MetroVision end, the department head who receives the call fills out another form acknowledging receipt of the complaint and instructions to the company's staff.

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