

Court Rules State Power To Enforce Open Housing

LANSING—The Michigan Supreme Court ruled this week that the Michigan Civil Rights Commission (CRC) has authority to enforce its findings in cases of alleged housing discrimination.

The high court, in a landmark decision, ruled that any citizen regardless of race, color, religion or national origin has the right to purchase any property offered publicly by a licensed real estate broker.

By a 5-3 vote, the court ruled that the right of any person to acquire housing offered by a licensed real estate broker is guaranteed under Michigan's 1963 Constitution and by common law.

THE DECISION, written by Justice Paul L. Adams, was a major victory for the Civil Rights Commission which contended it had the Constitutional authority to investigate cases of alleged discrimination and to enforce its findings.

Its jurisdiction in the area of housing was challenged by the Beech Grove Investment Co. and others who filed suits in Oakland County Circuit Court to set aside the CRC's ruling that Beech Grove had practiced discrimination in the sale of subdivision lots.

Officials of the Michigan Catholic Conference (MCC) hailed the Supreme Court ruling but

said it does not lessen the need for a state fair housing law now being considered by the Michigan Legislature.

"The Supreme Court's ruling in this case contains a clear and forthright statement of what Michigan's public policy is in the area of housing under our State Constitution," MCC Executive Director Francis J. Coomes said.

"However, there still is a great need for a state fair-housing law to spell out the penalties for violating this Constitutional right held by every citizen of our state regardless of the color of their skin. We hope the Legislature will enact a meaningful

law to cover all housing offered for sale or rent."

The MCC, along with the Michigan Council of Churches and Jewish Community Council of Metropolitan Detroit, filed a "Friend of the Court" brief with the Supreme Court last fall in support of the Civil Rights Commission's jurisdiction in cases of housing discrimination.

THE SUPREME COURT ruling specified the CRC's authority covers only housing offered for sale "publicly" through a "licensed real estate broker."

The ruling did not mention sale of property by an individual or the rental of property either through a licensed broker or by an individual.

By voting with Adams were Justices Thomas M. Karvanagh, Theodore Souris, Thomas E. Brennan and Michael D. O'Hara. Opposing the ruling were Justices Harry F. Kelly, Eugene F. Black and John R. Delamater.

The case before the Court involved alleged discrimination against Freeman M. Moore, a Negro school principal in Ecorse, and his wife, who sought to purchase a lot through the Beech Grove Investment Co. on which to build a home.

The CRC held a hearing in the fall of 1964 and found the realty firm had practiced discrimination by declining to complete the sale of the lot to the Moores because they are Negro.

The Moores had made a \$1,000 downpayment for the construction of a home but the sale was later cancelled when the firm discovered they were Negro.

After being found guilty of discrimination, Beech Grove appealed to Oakland County Circuit Court. It contended the CRC did not have jurisdiction in the matter.

The case was transferred to the State Supreme Court last fall at the request of Governor George Romney under his authority to request that a case be heard by the Supreme Court rather than a lower court when a Constitutional question is involved.



BIG MOMENT arrives for Schoolcraft College President Dr. Eric Bradner who is shown receiving congratulations from Dr. Herbert Schooling, North Central Association President, for the college receiving full accreditation of the association. The announcement took place during the NCA's annual meeting in Chicago. Equally pleased and joining in the ceremonies is Walter Hoffman, Jr., (center), president of Schoolcraft College's Faculty Forum. Both Dr. Bradner and Hoffman participated in the final oral examination before the NCA Accreditation Committee.

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