



Fair Housing Newsletter

Keeping you current on fair housing news and issues



 LAW OFFICE OF
ANGELITA E. FISHER

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Angelita Fisher is an attorney in the Nashville, TN area. She has over 19 years experience in representing companies in fair housing law and employment law matters. Angelita is licensed to practice law in Alabama, Texas, Mississippi and Tennessee.
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6688 Nolensville Road
Suite 108-161
Brentwood, TN 37027
615-305-2803
afisher@angelitafisherlaw.com

Iowa Landlord Pays \$135k to Settle Sexual Harassment Lawsuit

The cost of a sexual harassment lawsuit continues to rise. Just last month, an Iowa landlord agreed to pay \$135,000 to settle a claim he sexually harassed female tenants.



The lawsuit was filed by the U.S. Department of Justice after the U.S. Department of Housing and Urban Development investigated a complaint of harassment which had allegedly lasted ten years. The alleged harassment included:

- making unwelcome sexual comments and advances;
- touching tenants' bodies without their consent;
- entering the homes of female tenants without their consent and without prior notice; and
- taking adverse actions against tenants who resisted sexual overtures or complained about the harassment.

The settlement includes not only money, but the landlord is also: prohibited from managing rental housing in the future; required to hire a property manager for all properties; and required to attend fair housing training.

In October, 2017, the DOJ launched its Sexual Harassment in Housing Initiative. Since that time, the DOJ has filed 23 lawsuits alleging sexual harassment in housing and recovered over \$9.6 million for victims of harassment.

Note From the Editor: The year is nearly half over. Have you gotten half of your to-do list done? If fair housing training is still on the list, be sure to give me a call. I can arrange training to meet your needs.



Blind Applicant's Guide Dog Denied

The U.S. Department of Housing and Urban Development has filed a charge of discrimination against property owners in Puerto Rico and a real estate agent. The charge alleges the owners and real estate agent refused to rent to a blind person with a service dog.

The blind applicant filed a fair housing complaint with HUD after she was told by a real estate agent that the owners of a rental property would not allow a service animal because they did not allow pets. When the person explained she was blind in both eyes and the dog had been trained to assist her when walking, the real estate agent continued to argue that the owners would not allow the dog.



After reminding the real estate agent that denying a service dog could result in a lawsuit, the agent stated they “would have no way to prove that she didn't rent to her because of the dog in court because she would just rent it to someone else and say it was simply taken.”

The real estate agent later spoke to the owner explaining that the person had a service dog, but the owner still refused to allow the resident to bring the dog to the property.

After an investigation, HUD found discrimination and filed the charge. The charge will now be heard by a United States Administrative Law Judge unless any party to the charge elects to have the case heard in federal district court or the case is settled.

Did You Know?

Emotional Support Animals are Allowed in the Common Areas of the Property?

DOJ Files Another Sexual Harassment Lawsuit

A Wisconsin landlord and his wife have been sued by the U.S. Department of Justice. The lawsuit alleges the male owner sexually harassed and retaliated against female residents for over 20 years. His wife is named because she is a co-owner of the properties involved.

The allegations of harassment include:

- Repeated and unwelcome sexual comments to female residents;
- Entering the homes of female residents without their consent;
- Touching female residents' bodies without their consent;
- Requesting sexual contact;
- Offering reduced or free rent in exchange for sexual contact; and
- Taking adverse housing-related actions against female tenants who refused his sexual advances.



The DOJ continues to file sexual harassment lawsuits against landlords in surprising numbers.



HOUSING CROSSROADS

WHERE FAIR HOUSING AND
LANDLORD TENANT LAWS INTERSECT

Housing Crossroads Webinar

Death of a Resident

Wednesday, June 29, 2022
10:00 a.m. - 11:30 a.m. central

It is inevitable – residents pass away and landlords are left with the daunting task of navigating the triangle of problems: protecting the former resident’s personal property, addressing the immediate needs of heirs and children and getting the property ready to rent again. It is never an easy situation for any of the parties involved.

In this webinar, we will discuss the common issues that arise for landlords when a resident passes away including best practices for addressing certain issues before they arise and legally protecting the landlord from liability afterwards. Our discussion will include:

- Power of Attorney
- Next of Kin
- Personal Property
- Minor Children
- Opening an Estate

\$34.99
[Register Now](#)



Nathan Lybarger
Law Office of Hall &
Associates

Speakers



Angelita Fisher
Law Office of Angelita E.
Fisher

New Orleans Residents Now Have a Right to Counsel in Eviction Court

The New Orleans City Council has unanimously passed a Right to Counsel Ordinance. The ordinance states that anyone at risk of losing their home in eviction court has a right to an attorney and creates a permanent framework for the program. The Council even appropriated \$2 million to support eviction defense work last year.

Before the pandemic, it was estimated that only 6% of households facing eviction in New Orleans had access to an attorney and that households facing eviction were disproportionately led by Black women. Those who did have access, had dramatically better results and were 4.5 times less likely to be evicted.

New Orleans is not the first to pass this type of ordinance. Cleveland, OH, Denver, CO, Kansas City, MO, Louisville, KY, and Milwaukee, WI, also have similar ordinances. The states of Washington, Connecticut, and Maryland have also passed laws to ensuring a right to counsel in eviction court. Watch for a similar law in your area.

Georgia Properties Settle Steering Case

Two Georgia properties have agreed to settle a fair housing lawsuit brought by the U.S. Department of Justice. The lawsuit alleged the owners and managers steered Black housing applicants who are elderly or have a disability away from a predominantly white housing complex, to a housing complex that is inferior in appearance, location and amenities, and is mostly Black. The lawsuit further alleged that the managers and owners subjected Black residents who are elderly or have a disability to less favorable rental terms, conditions and privileges as compared to similarly situated white tenants.



To settle the lawsuit, the Georgia properties have agreed to pay \$83,000 in damages to three former tenants who were allegedly harmed as a result of the racial steering; pay a civil penalty to the United States; implement nondiscriminatory policies and procedures; complete fair-housing training; and submit periodic reports to the Justice Department.

SafeRent Solutions Sued for Fair Housing Violations

A Massachusetts lawsuit has been filed against SafeRent Solutions, formerly known as Corelogic Rental Property Solutions, for violations of the Fair Housing Act. The lawsuit alleges SafeRent, a national tenant screening provider, has been violating fair housing laws for years by giving disproportionately low scores to Black and Hispanic rental applicants who use federally funded housing vouchers to pay the majority of their rent. These low scores cause Black and Hispanic applicants to be denied housing. The lawsuit further alleges that SafeRent's algorithm has a disparate impact based on race and source of income, in violation of federal and state laws.

The applicants are represented by the Greater Boston Legal Services, Cohen Milstein Sellers & Toll PLLC, and the National Consumer Law Center. This is the second racial discrimination lawsuit Cohen Milstein has brought against SafeRent Solutions. The previous suit is being litigated in Connecticut.

Louisiana Senate Committee Kills Bill on Using Criminal History Criteria

A Louisiana Senate committee recently voted down House Bill 1063, which would have amended the Louisiana Equal Housing Opportunity Act to require housing providers to disclose whether criminal history is considered as a basis for eligibility. The bill also would have protected property owners and employees of housing providers from liability stemming from a decision to rent to somebody with a criminal record.

The bill had already passed the House on a 56-40 vote. But, it failed in the Senate Committee on Commerce, Consumer Protection and International Affairs on a party-line vote, with three Republicans against it and two Democrats voting in favor of the bill.

Selection criteria using an applicant's criminal background continues to come under scrutiny. If you have a blanket no-felony policy, it is time for a change before HUD comes knocking.



Fair Housing Webinar Violence Against Women Act

Wednesday, June 15, 2022
10:00 a.m. - 11:00 a.m. Central

\$24.99

Domestic violence is an issue almost every landlord has been forced to face. Can you evict? Do you need to get involved at all? Why is the resident looking to you for help?

Whether you're a federally funded property, a tax credit property, or accept a Section 8 voucher, you must comply with the Violence Against Women Act. Every landlord should know the rules on when the Act applies, transfers, documentation, and liability. In this webinar, we will discuss:

- Recognizing when the VAWA May or May Not Apply
- Sorting out the Paperwork
- Requesting Documentation
- Transfers
- Liability
- Recent Cases Interpreting the Act

\$24.99
[Register Now](#)