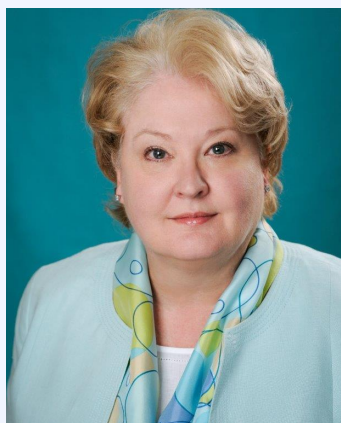




Fair Housing Newsletter

Keeping you current on fair housing news and issues



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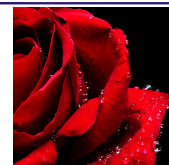
HUD Settles Disability Claim Against CA Housing Authority

The U.S. Department of Housing and Urban Development has settled a fair housing complaint against the Richmond Housing Authority located in Richmond, California. The complaint alleged a disabled resident requested the housing authority renew his Housing Choice Voucher, but the housing authority did not renew the voucher and it expired. Legal Aid got involved and asked the housing authority to renew the expired voucher as an accommodation since any miscommunication may have been due to the resident's disability. The housing authority refused. As a result, the resident was forced to move from his home and stay in shelters or with relatives.



Under the settlement agreement, the housing authority will pay the resident \$5,833 as reimbursement for the storage of his property during the time he was without a home, and provide a new Housing Choice Voucher. The housing authority staff will also undergo fair housing training.

Note from the Editor: Need fair housing training? Register your properties for the Three-Part Fair Housing webinar series coming up in March. It is an easy and inexpensive way to get annual training for staff.



In the News

Denver to Become More Accessible

The U.S. Department of Justice has reached an agreement with the City of Denver, Colorado, to improve access for people with disabilities. Under the agreement, Denver will remedy inaccessible features at courthouses, emergency shelters, libraries, parking lots, polling places, and parks to make these facilities accessible to people with disabilities. Denver has also agreed to improve communications with those who have hearing disabilities. It will now use sign language interpreters, and the Relay Colorado and text-to-911 on calls. This agreement was reached under the Project Civil Access initiative, a Justice Department initiative to ensure cities, towns and counties comply with the Americans with Disabilities Act.

Did You Know?

If your property receives federal funds, the landlord is responsible for paying for modifications to the property to accommodate a disabled resident.

HUD Awards 37 Million to Fight Discrimination

The U.S. Department of Housing and Urban Development has awarded \$37 million to fight housing discrimination under its Fair Housing Initiatives Program. These grants were given to support more than 150 national and local fair housing organizations.

The grants will be used to conduct testing in the rental and sales market, to file Fair Housing complaints with HUD, and to conduct education and investigations. The categories of grants announced are:



- Education and Outreach Initiative: \$7,450,000 was awarded to organizations that educate the public and housing providers about their rights and responsibilities under federal law.
- Fair Housing Organizations Initiative: \$500,000 was awarded to help build the capacity and effectiveness of non-profit fair housing organizations.
- Private Enforcement Initiatives: \$30.35 million was awarded to organizations that conduct intake, testing, investigation and litigation of fair housing complaints under the Fair Housing Act.

A little closer to home, the West Tennessee Legal Services, Inc. and the Tennessee Fair Housing Council, Inc. were both awarded \$300,000 each.



HOUSING CROSSROADS

WHERE FAIR HOUSING AND
LANDLORD TENANT LAWS INTERSECT

Housing Crossroads Webinar

Domestic Violence: A Landlord's Responsibilities

February 28, 2018

10:00 a.m. - 11:30 a.m. Central

Domestic violence on your property is a serious issue. When it involves a resident, many different laws come into play including the Fair Housing Act, the Violence Against Women Act, and state landlord tenant laws. The overlapping laws can be intimidating to the average landlord.

In this webinar, we will discuss the most common issues facing landlords when dealing with domestic violence on the property and domestic violence victims. Our discussion will include:

- Different Laws that May Apply to a Domestic Violence Victim
- Protecting Against a Disparate Impact Claim
- Accepting or Rejecting a Victim's Application
- Emergency Transfers
- Evicting the Perpetrator

\$34.99
Register
Now



Nathan Lybarger
Hall & Associates



Angelita Fisher
Law Office of
Angelita E. Fisher

Delay in Accommodation May Not Be a Denial...For Now

A New Hampshire court has refused to hold that a 75-day delay in approving an accommodation violated fair housing laws. A jury gets to decide.

The case started when a resident requested an exception to the property's No-Pet Policy for an emotional support animal. The landlord did not deny the request, but delayed the approval for 75 days. The resident sued claiming the 75-day delay was a constructive denial because the landlord unnecessarily delayed its response.

The judge in this case however, was not ready to say the 75 days was unreasonable. Instead of ruling the resident was denied an emotional support animal as a matter of law, the judge decided to let a jury decide.

A word of caution: Delaying an accommodation can get you sued. Regardless of the outcome, a lawsuit is expensive and time consuming...even if you win.



Fair Housing Webinar Understanding and Accommodating Hoarders

\$24.99

Wednesday, February 14, 2018

10:00 a.m. - 11:00 a.m. Central

Hoarding has been recognized by the American Psychiatric Association as a mental disorder. What does that mean for landlords? You may have an obligation to accommodate the resident instead of taking immediate legal action to evict.

In this webinar, we will discuss accommodating the resident who is hoarding without violating fair housing laws. Our topics will include:

- Recognizing a Hoarder
- Protections Under Fair Housing Laws
- Examples of Accommodations
- Documentation you may require
- Following-Up

[Register
Now](#)

Michigan Family Fights for Their Four Pigs

A Michigan family is fighting the city to keep their four potbellied pigs. The city considers the pigs to be livestock and has given the family notice the pigs need to go. In response the family is claiming the pigs are emotional support and medical assistance animals. One of the pigs is allegedly trained to respond to seizures and low blood sugar. The family also claims the pigs are clean and do not have an odor.

A judge will decide if the animals are emotion support animals and if the city is subject to the Fair Housing Act, as it does not provide housing.

Stay tuned

HUD Gives \$2 Billion to Homeless Assistance Programs

The U.S. Department of Housing and Urban Development started off the year with a big gift to homeless assistance programs. In January, it awarded more than \$2 billion to support more than 7,300 local homeless assistance programs.

In Tennessee, 128 programs were given \$20,733,768 to assist the homeless. This money will be used to support high performing local programs that have proven most effective in meeting the needs of persons experiencing homelessness in their communities.



Bad Credit History is Legitimate Reason for Denial

The U.S. District Court in the Western District of New York, dismissed an applicant's fair housing case after the landlord showed the applicant had a negative credit history.

The case began when a resident filed a lawsuit claiming she had been discriminated against based on her race. She had applied for subsidized housing, but was denied based on credit history. The applicant claimed the reason for the denial could not be based on credit, because she paid cash for everything. It must be because of race.

The landlord provided evidence to the court that the applicant had two accounts that were delinquent and had a judgment against her for over \$500 from a previous landlord. The court dismissed the applicant's fair housing case. A negative credit history is a legitimate non-discriminatory reason for denying an applicant...at least in this court.

Trump Administration Postpones Fair Housing Rule

The Trump administration has delayed enforcement of a federal fair housing rule that requires communities to address racial segregation through an Assessment of Fair Housing plan. On January 5, 2018, the Department of Housing and Urban Development published a notice in the Federal Registry stating it will suspend the requirement that communities analyze their housing segregation and submit AFH plans until October 31, 2020. The rule has not been repealed.

Cities will no longer need to submit their plans and HUD will stop reviewing plans that have already been submitted. Local government program participants that have already submitted an AFH plan that has been accepted by HUD, must continue to execute the goals the AFH.

Fair Housing 2018 Three-Part Webinar Series

Fair Housing Fundamentals

Wednesday, March 7, 2018

10:00 a.m. - 11:00 a.m. Central Time

[Register Now](#)
\$24.99

Common Fair Housing Problems

Wednesday, March 14, 2018

10:00 a.m. - 11:00 a.m. Central Time

[Register Now](#)
\$24.99

Making an Accommodation

Wednesday, March 21, 2018

10:00 a.m. - 11:00 a.m. Central Time

[Register Now](#)
\$24.99

All Three Webinars in Series

March 7, 2018 - Fair Housing Fundamentals

March 14, 2018 - Common Fair Housing Problems

March 21, 2018 - Making an Accommodation

[Register Now](#)
\$64.99