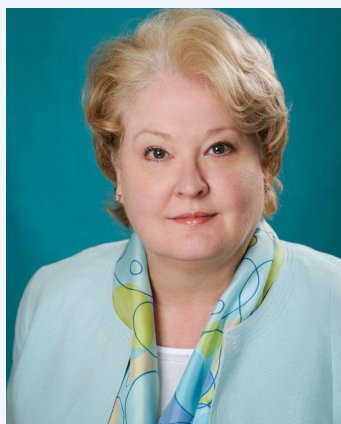




# Fair Housing Newsletter

*Keeping you current on fair housing news and issues*



 LAW OFFICE OF  
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## \$625,000 Settlement in Sexual Harassment Lawsuit

The U.S. Department of Justice has settled a sexual harassment lawsuit against two St. Louis landlords. The lawsuit alleges the property manager sexually harassed female tenants by:

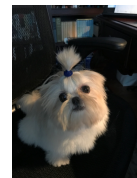
- conditioning housing and housing benefits on female tenants' agreement to engage in sexual acts;
- coercing female tenants to engage in unwelcome sexual acts;
- subjecting female tenants to unwanted sexual touching and other unwanted sexual acts;
- making unwelcome sexual comments and advances to female tenants; and
- taking adverse actions against female residents when they refused sexual advances.

The owner is also liable because the property manager acted as the owner's agent.

Under the settlement agreement, 15 women will receive \$600,000 and the landlords will pay a \$25,000 civil penalty. Neither will be allowed to serve as property managers in the future. Additionally, the landlords will adopt a sexual harassment policy, create a tenant complaint procedure, and undergo fair housing training.

*Sexual Harassment: Continued on Page 2*

**Note From the Editor:** April is Fair Housing Month - a great time to make sure all your staff has their fair housing training. This year marks the 50th anniversary of the Fair Housing Act and a lot has changed in the past 50 years. Make sure you are up-to-date.



## In the News

### Washington Legislators Pass Source of Income Law

Washington State Legislators have passed a bill that prohibits landlords from turning away tenants who rely on Section 8 vouchers, Social Security or veteran's benefits. The legislation also establishes a fund to reimburse property owners for damages or lost rental income caused by tenants who rely on federal housing assistance. The bill now goes to the Governor.

Eleven other states and Washington D.C. have similar laws although fewer have funds to reimburse property owners.

### Did you Know?

*Emotional support animals do not have to be trained or registered with any organization?*



*Sexual Harassment: Continued from Page 1*

Just two days following the announcement of the St. Louis settlement, the DOJ announced it has sued two Cincinnati landlords for similar acts. The Cincinnati lawsuit alleges unwelcome sexual advances and comments, unwanted sexual touching, offers to reduce rent and overlook or excuse late or unpaid rent in exchange for sex, evicting or threatening to evict female tenants who objected to or refused sexual advances, and entering the homes of female tenants without consent.

The DOJ announced last October that it would increase the department's efforts to protect individuals from sexual harassment by landlords, property managers, maintenance workers, security guards and other employees of management companies as well as property owners. These lawsuits reflect that initiative and landlords can expect more to come.

### HUD's New Mission Statement

The U.S. Department of Housing and Urban Development is changing its mission statement and stirring up controversy at the same time. According to a leaked draft, the new mission statement provides, "HUD's mission is to ensure Americans have access to fair, affordable housing and opportunities to achieve self-sufficiency, thereby strengthening our communities and nation." What's missing? Anti-discriminatory language.

Don't worry - HUD is not going to overlook discrimination. Even if changed, HUD's Communication Director Raffi Williams said in a statement, "HUD has been, is now and will always be committed to ensuring inclusive housing free from discrimination for all Americans."

This is not the first time the mission statement has been changed. The George W. Bush administration and the Obama administration both changed the HUD mission statement.



# HOUSING CROSSROADS

WHERE FAIR HOUSING AND  
LANDLORD TENANT LAWS INTERSECT

## Housing Crossroads Webinar

### The Rules: Pet vs. Support Animals

April 25, 2018

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

It is sometimes impossible to see the difference between a pet and a support animal. However, when it comes to the rules that apply, you must know the difference. Applying a pet policy to a support animal will get you sued. One policy or addendum does not fit all.

In this webinar, we will discuss the different policies and addendum provisions that a landlord may apply to pets and which he/she may apply to support animals. We will discuss:

- Knowing the Difference
- Addendum or Policy
- Breed / Weight Restrictions
- Areas that are Off-Limits
- Cleaning Up
- Damages & Deposits
- Plus Much, Much, More

**\$34.99**  
[Register](#)  
[Now](#)



Nathan Lybarger  
Hall & Associates



Angelita Fisher  
Law Office of  
Angelita E. Fisher

## HUD and Houston Reach an Agreement

The U.S. Department of Housing and Urban Development and the City of Houston, Texas have reached an agreement designed to expand housing choices and mobility for lower income residents in the Houston area.

The Agreement requires the City of Houston to: (1) adopt multifamily priorities and a policy for objectively evaluating federally supported affordable housing developments in all areas of Houston; (2) seek to invest additional funds in homeless assistance programs; and (3) encourage more landlord participation in Houston's housing voucher program.



## Fair Housing Webinar Disparate Impact Update

Wednesday, May 16, 2018  
10:00 am - 11:00 am Central

**\$24.99**



In June, 2015, the Supreme Court held landlords could be sued using a fair housing disparate impact theory. For landlords, this means they may be in violation of fair housing laws by having a neutral policy that when applied, causes one or more protected classes to be disparately impacted. Since 2015, HUD and state human rights agencies have been using this theory to restrict a landlord's selection criteria and property rules.

In this webinar, we will discuss the latest cases being filed using impact theory as well as possible issues on the horizon. We will discuss theories and cases involving:

- The Use of Criminal Convictions
- Occupancy Standards
- Domestic Violence
- Source of Income
- Possible Issues on the Horizon

[Register  
Now](#)

## Facebook Sued for Fair Housing Violations

Fair housing groups have filed a federal lawsuit against Facebook claiming it allows discrimination against women, disabled veterans and single mothers by allowing Facebook advertisers to target their audience for ads thereby excluding others. The lawsuit alleges Facebook allows landlords and real estate brokers to bar families with children, women and others from receiving rental and sales ads for housing by using a checklist provided by Facebook. By using the checklist to target some groups, it also allows the exclusion of others.

The Fair Housing Act makes it illegal to publish housing ads that indicate preference or limitations based on color, race, religion, handicap, familial status or national origin. Facebook has more than two billion users a month which constantly receive targeted ads. Although Facebook has repeatedly promised to crack down on advertisers who use the tools to show



housing or employment ads to whites only, the fair housing groups which filed the lawsuit believe it has failed to take the necessary actions to stop discrimination.

The fair housing groups want the court to order Facebook to develop a plan to remove the ability for advertisers to access Facebook's checklists for excluding groups of people in the posting of housing-related ads.

## The Pigs Must Go

A Michigan judge has ordered a family to remove three of their four potbellied pigs from their rental home. The case arose after a neighbor complained about the pigs based on a city ordinance banning livestock. In response, the owners argued the four pigs were emotional support animals and fought their removal.

The Judge will allow one pig as an accommodation under the Fair Housing Act because the pig is trained to respond to seizures and low blood sugar. The remaining three pigs will have to go. The Judge found no precedence to allow one person more than one accommodation animal – a position HUD may disagree with.