



Fair Housing Newsletter

Keeping you current on fair housing news and issues



 LAW OFFICE OF
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MA Landlord Pays \$450K to Settle Sexual Harassment Lawsuit

The U.S. Department of Justice and a Massachusetts landlord have agreed to settle a lawsuit filed in 2019 alleging the landlord violated the Fair Housing Act.

The lawsuit alleged that for at least 11 years, the landlord subjected tenants to:

- unwelcome sexual contact;
- coercion of female tenants to engage in sex acts;
- sexual assault;
- exposing himself; and
- locking female tenants in his office to sexually assault them.

The lawsuit also alleged the landlord implicitly offered to provide relief from rental payment obligations in exchange for engaging in sexual acts with him and threatened tenants who resisted or objected to his unwelcome sexual harassment.



Under the proposed settlement, the landlord will pay \$425,000 to compensate individuals harmed by the harassment and a \$25,000 civil penalty.

The settlement also requires that property management responsibilities be turned over to an independent manager, and permanently bars the landlord from participating in any property management responsibilities at any residential rental property in the future.

Note From the Editor: June marks the month when summer begins. For a property manager, summer means kids are out of school and looking for things to do. If you have questions about the property rules regarding children, just give me a call or send me an email. Happy to help!



DOJ Files Sexual Harassment Lawsuit Against CA Property Manager and Owners

The U.S. Department of Justice announced it has filed a lawsuit against the manager and the owner of a rental property in Los Angeles, CA for allegedly engaging in sexual harassment in violation of the Fair Housing Act.

The lawsuit alleges the Manager sexually harassed female tenants by offering housing-related benefits in exchange for sexual acts, making unwelcome sexual comments and advances to female tenants, entering the homes of female tenants without their permission, and subjecting female tenants to unwelcome sexual acts.



The lawsuit seeks monetary damages to compensate persons harmed by the alleged harassment, a civil penalty to vindicate the public interest and a court order barring future discrimination.

Senator Introduces Fair Housing Improvement Act Bill

Senator Tim Kaine, a Democrat from Virginia, has introduced the Fair Housing Improvement Act, S. 1267. If passed, the bill would prevent discrimination based on residents' source of income such as vouchers or Social Security benefits. Many states and municipalities already have similar laws. Unlike those laws, the Fair Housing Improvement Act, would apply nationwide to all properties already covered under the Fair Housing Act.

Missouri Landlord Settles Sexual Harassment Lawsuit

A St. Louis, Missouri landlord has agreed to pay \$110,000 to resolve a lawsuit filed by the U.S. Department of Justice alleging he violated the Fair Housing Act by sexually harassing female tenants.



The lawsuit, filed in September, 2022, alleged the landlord subjected multiple female tenants to harassment that included making unwelcome sexual advances, offering to reduce rent or security deposits in exchange for engaging in sex acts, requesting sexually explicit photos, staring at female tenants' bodies in a sexual way, subjecting female tenants to unwelcome sexual touching, and visiting and entering female tenants' homes for no

legitimate purpose.

Under the settlement, the landlord will pay \$85,000 to compensate individuals harmed by the harassment and \$20,000 to compensate the Metropolitan St. Louis Equal Housing Opportunity Council for resources it used responding to the alleged harassment. The landlord is also required to pay a \$5,000 civil penalty to the United States.



HOUSING CROSSROADS

WHERE FAIR HOUSING AND
LANDLORD TENANT LAWS INTERSECT

Housing Crossroads Webinar

Six Common Areas Where Landlord/Tenant and Fair Housing Laws Overlap

Wednesday, June 28, 2023
10:00 a.m. - 11:30 a.m. central

Every Property Manager knows that under Landlord/Tenant laws they may non-renew a lease without giving the resident a reason. But do you know that a non-renewal may land you in trouble under Fair Housing Laws unless you can show you have a well-documented reason? With every decision they make, Property Managers must keep both Fair Housing laws and Landlord/Tenant laws in mind.

In this webinar, we will discuss six common areas where these laws intersect. We will provide you with real-life scenarios and give you practical examples how to approach these situations. Please join us for all this and more.

1. Non-Renewals
2. Domestic Violence
3. Animals
4. Housekeeping
5. Criminal Activity
6. Late Payment of Rent

\$34.99
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Nathan Lybarger
Law Office of Hall &
Associates

Speakers



Angelita Fisher
Law Office of Angelita E.
Fisher

Did you Know?

The protected class of gender includes sexual orientation and gender identity

New HUD Rule for HUD Assisted and Insured Housing

The U.S. Department of Housing and Urban Development (HUD) has published a Final Rule for the National Standards for the Physical Inspection of Real Estate (NSPIRE) in the Federal Register. The final NSPIRE rule makes changes to inspections for the Public Housing and Multifamily Housing programs. Some of the changes the final NSPIRE rule makes include:

- New Self-Inspection Requirement and Report. PHAs and Owners will be required to conduct self-inspections of all units at least annually and correct all identified deficiencies. If the property scores under 60, these reports must be provided to HUD. Records related to the self-inspection should be maintained for three years.
- Timeline for Deficiency Correction. HUD clarifies the timeline for the correction of health or safety deficiencies. For life-threatening and severe deficiencies, the PHA or Owner must correct the deficiency within 24 hours after the inspection report is received, and upload evidence of that correction within 72 hours to HUD.
- New Affirmative Requirements. HUD developed new “affirmative standards” for all units that participate in HUD’s rental assistance programs. These include basic requirements for habitability – like kitchens and flushable toilets – but also important safety concerns like Ground Fault Circuit Interrupter (GFCI) outlets, a permanent heating source, and safe drinking water.
- Tenant Involvement. HUD will allow tenants to make recommendations regarding units to be inspected. HUD will require that the PHA or Owner correct all identified deficiencies within established timeframes and provide inspection results to residents.



In addition to other changes, the new rule will remove the occupancy requirement related to children of the opposite sex and will focus on the elimination of cosmetic deficiencies.

The effective dates for the start of physical inspections using the NSPIRE Standards are July 1, 2023, for Public Housing Inspections and October 1, 2023, for Housing Choice Voucher, Project-based Vouchers and Multifamily Inspections.

PA Property Owner and Operator Sued for Sexual Harassment

The U.S. Department of Justice has filed a Fair Housing Act lawsuit against the owner and operator of rental properties in the Falls Creek, Pennsylvania, area. The lawsuit alleges the landlord has sexually harassed female tenants since at least 2016. According to the complaint, the landlord made repeated and unwelcome sexual comments to female tenants, touched female tenants' bodies without their permission, requested sexual contact, offered reduced or free rent in exchange for sexual contact and took retaliatory actions against female tenants who refused his sexual advances.

The lawsuit seeks monetary damages to compensate persons harmed by the alleged harassment and civil penalties to vindicate the public interest.



Fair Housing Webinar Violence Against Women Act

Wednesday, June 14, 2023
10:00 a.m. - 11:00 a.m. Central

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

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