



Fair Housing Newsletter

Keeping you current on fair housing news and issues



 LAW OFFICE OF
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Landlord Pays \$300K for Allowing Racial Harassment by Neighbors

The U.S. Department of Housing and Urban Development (HUD) and an Oklahoma landlord have agreed to settle a claim of racial harassment. The cost? \$300,000.

The settlement stems from a complaint alleging the landlord knew a resident was being harassed by neighbors, but failed to respond. HUD's investigation found that residents began harassing a White mother and daughter, when the daughter started dating a Black man. The harassing behavior included calling the resident racial slurs and threatening racially motivated violence. The investigation further found the resident repeatedly notified the landlord of the harassment, but the landlord failed to take any steps stop the harassment.



In addition to paying \$300,000, the landlord has agreed to establish an anti-harassment policy and obtain fair housing training for all officers, agents, and employees.

While not all courts agree that landlords can be liable for harassment between neighbors, HUD's position is that if the landlord knew or should have known about the harassment, and failed to take action to stop the harassment, the landlord has liability.

Note From the Editor: Happy New Year! With a new year comes a new check list. If Fair Housing training is on your check list, consider registering for the March Three-Part Fair Housing Webinar Series. See page 4 for more information.



HUD Proposes “30-Day Notice” Rule



On December 1, 2023, the U.S. Department of Housing and Urban Development (HUD) published a proposed rule that would require landlords of public housing or project based rental assistance, to provide residents with 30-days notice for nonpayment of rent. If finalized, the rule would require tenants receive written notification at least 30 days prior to filing for an eviction due to nonpayment of rent. It would also require that the 30-day notice include instructions on how tenants can cure lease violations for nonpayment of rent and information on how to recertify their income and request a minimum rent hardship exemption to avoid eviction. Interested individuals may comment on the proposed rule until January 30, 2024.

The proposed rule is part of the Biden-Harris Administration’s Blueprint for a Renters Bill of Rights.

HUD Charges Hawaii Condo Association, Management Co., Owners, and Real Estate Agent with Disability Discrimination



The U.S. Department of Housing and Urban Development (HUD) has charged a Hawaii condominium association, employees of the condominium association, the property management company, an employee of the property management company, the condominium unit’s owners, and the owners’ real estate broker with discriminating against a resident because of disability.

The Charge alleges multiple individuals prevented a resident from using a temporary ramp to safely access his unit, prevented him from accessing a parking space that would allow him to load and unload his wheelchair, and prevented him from replacing a toilet at his own expense. Because of their refusals, the resident was often unable to access or use his unit and was forced to sleep in his vehicle.

A U.S. Administrative Law Judge will hear HUD’s Charge unless any party elects to have the case heard in Federal district court or the case is settled.

Source of Income Case Settles for \$235K

A management company doing business in the District of Columbia has agreed to settle a lawsuit alleging it violated fair housing laws by refusing to accept Section 8 vouchers. The lawsuit, filed by the Equal Rights Center against the owners and managers of the Adams View Apartments in DC, alleged violations of DC’s Human Rights Act and Consumer Protection Act when the apartments systematically refused to accept voucher-holders as tenants at the property.



Low-income renters who receive government assistance are protected against discrimination in DC by several laws, including the District’s fair housing legislation. The DC law classifies “source of income” as a protected class, making it illegal for housing providers to discriminate against renters for paying with government-backed vouchers.

As part of the settlement, the management company agreed to pay \$235,000 to the Equal Rights Center and DC for “restitution, damages, future training and compliance, attorney’s fees, and civil penalties.” Entrata, which runs software that enables landlords and property managers to run more leasing processes digitally, also agreed to review its practices in jurisdictions where source-of-income discrimination is prohibited.



HOUSING CROSSROADS

WHERE FAIR HOUSING AND
LANDLORD TENANT LAWS INTERSECT

Housing Crossroads Webinar

Death of a Resident

Wednesday, January 31, 2024
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.
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Annual Three-Part Webinar Series



Part One **March 6, 2024** **Fair Housing Fundamentals**

[Register for Part One](#)
[Only - \\$24.99](#)

Knowing the basic fundamentals of fair housing laws will assist owners, managers and staff in making better decisions on what law may apply to their residents and what actions may violate fair housing laws. In this webinar, we will discuss the basics of fair housing laws and the process by which residents may make complaints. Our discussion will include: What Law Applies to Your Property; The Protected Classes; Two Types of Discrimination; Two Types of Harassment; The Complaint Process; and Retaliation.



Part Two **March 13, 2024** **Common Fair Housing Issues**

[Register for Part Two](#)
[Only - \\$24.99](#)

Certain issues in fair housing arise time and again. It is important for managers and staff to know the answers before they make common mistakes. In this webinar, we will discuss the current status of the law on common fair housing issues. Our discussion will include common issues for the protected classes of: Familial Status; Sex / Gender; Race / National Origin; and Religion.



Part Three **March 20, 2024** **Making Reasonable** **Accommodations and Modifications**

[Register for Part Three](#)
[Only - \\$24.99](#)

Residents who are disabled file more fair housing complaints than all other protected classes combined. Why? Maybe because the accommodation process is easy to mess up. In this webinar, we will talk about a landlord's requirement to reasonably accommodate as well as some of the most common accommodation requests. Our discussion will include: Knowing the Difference between an Accommodation and Modification; Paying for the Accommodation/Modification; Getting the Paperwork Right; and Common Accommodations.



[Register for All Three Webinars](#)
\$ 64.99

THRC Publishes FY 2022 - 2023 Report

The Tennessee Human Rights Commission (THRC) has published its 2022 – 2023 Annual Report. The report gives details on fair housing complaints received by the THRC. This year, the most notable change is that the number of disability claims went down while the number of race claims rose.

In 2022 – 2023, the THRC accepted 196 complaints and closed 128 complaints. This was up from last year when the THRC accepted 140 cases and closed 120 cases. While the percentage dropped, the largest percentage of claims were still based on the protected class of disability. In 2022 - 2023, the percentage of disability claims dropped to 38% from 48% last year. The percentage of race claims rose from 21% in 2021 – 2022, to 25% in 2022 - 2023. The percentage of gender claims dropped two points from 12% to 10%. The number of retaliation claims tripled from 3% last year to 9% in 2022 – 2023.

Once again, the number of inquiries went up significantly. In 2021 – 2022, the number of inquiries was 853. In 2022 – 2023, the number of inquiries was 1,096. When you consider the number of inquiries in 2020 – 2021 was only 615, the increase becomes even more dramatic.

As for money, last year the THRC settled 30 housing complaints through conciliation with \$68,819 in monetary benefits.

If you are interested in finding out more, you can go to THRC's website at: <https://www.tn.gov/humanrights/publications/reports1.html>



Fair Housing Webinar

Fair Housing Pitfalls When Terminating the Lease

Wednesday, January 17, 2024
10:00 a.m. - 11:00 a.m. Central

\$24.99

All good things must come to an end - and so must a lease. How and why you terminate a resident's lease may land you in trouble with HUD. Terminating a lease may violate fair housing laws.

In this webinar, we will discuss a variety of reasons landlords terminate leases and what fair housing consequences you should consider. Our discussion will include:

- Non- Renewals
- Violence on Property
- Housekeeping
- Complaints from Neighbors
- Retaliation

\$24.99
[Register Now](#)