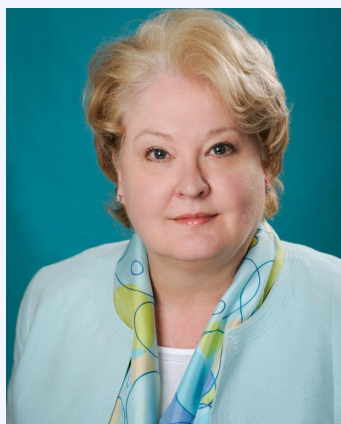




# Fair Housing Newsletter

*Keeping you current on fair housing news and issues*



 LAW OFFICE OF  
**ANGELITA E. FISHER**

.....  
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.  
.....

6688 Nolensville Road

Suite 108-161

Brentwood, TN 37027

615-305-2803

[afisher@angelitafisherlaw.com](mailto:afisher@angelitafisherlaw.com)

## New Jersey Landlord Pays \$4.5 Million to Resolve Claims of Sexual Harassment

A New Jersey landlord has agreed to pay \$4.5 million to settle a lawsuit filed by the U.S. Department of Justice (DOJ) alleging he sexually harassed applicants and residents for at least 15 years.

According to the DOJ's lawsuit, the landlord sexual harassed both women and men who were gay or bisexual. Allegedly, the landlord demanded sexual favors, like oral sex, to get or keep housing; offered housing benefits, such as reduced rent in exchange for sexual favors; touched tenants and applicants in a way that was sexual and unwelcome and made unwelcome sexual comments and advances to tenants and applicants. In addition, the landlord allegedly initiated or threatened to initiate evictions against tenants who objected to or refused his sexual advances. More specifically, the DOJ complaint alleged the landlord would take housing applicants and tenants to places on his properties like empty apartments, and empty laundry or storage rooms. While there, he would ask for massages, expose himself, demand oral sex and force people to touch him sexually. If people submitted to his demands, the landlord allowed them to move in, or keep their housing. If people did not submit, he refused to rent to them, or evicted them.



*\$4.5 Million: Continued on Page 2*

**Note From the Editor:** Happy New Year! If you are looking to get your company's fair housing training done early this year, remember the three-part fair housing webinar series will be in March. See the last page of this news letter for more details.



*#4.5 Million: Continued from Page 1*

To settle the case, the landlord will pay \$4,392,950 to tenants and prospective tenants harmed by his alleged harassment. He must also pay a \$107,050 civil penalty to the United States - the maximum civil penalty allowed under the Fair Housing Act. The landlord has sold all of his residential rental properties and will not be allowed to own or manage residential rental properties in the future. He must also dismiss all proceedings and judgments against residents which were in retaliation for refusing his sexual advancements.

While this settlement will take care of the civil case, there are also separate, ongoing, criminal cases against the landlord. The landlord is charged with 13 counts of second-degree sexual assault, one count of second-degree attempted sexual assault, and 21 counts of fourth-degree criminal sexual contact.

This settlement is the largest monetary settlement the DOJ has ever obtained in a case alleging sexual harassment in housing. The DOJ launched its Sexual Harassment in Housing Initiative in October, 2017. Since launching the initiative, the Department of Justice has filed 23 lawsuits alleging sexual harassment in housing and recovered over \$9.5 million for victims of harassment.

## **KY Landlords Pay \$230,000 to Settle Sexual Harassment Lawsuit**

A Kentucky husband and wife, who owned and managed rental properties, have agreed to pay \$220,000 to 11 women who are current or former tenants and a \$10,000 civil penalty to the United States to settle a sexual harassment lawsuit filed by the U.S. Department of Justice (DOJ).

The DOJ's lawsuit alleged the husband sexually harassed female tenants since at least 2012, and the wife was told about the sexual harassment, but failed to take action to stop her husband's alleged behavior. More specifically, the complaint alleges the husband made repeated and unwelcome sexual comments, entered the homes of female tenants without their consent, touched female tenants without their consent, requested sexual acts, offered reduced or free rent in exchange for sexual acts and took adverse housing-related actions against female tenants who refused his sexual advances. His wife allegedly threatened and retaliated against women who complained about her husband's harassment.

In addition to the payment, the husband and wife must dismiss any pending eviction actions against the victims, vacate any adverse judgments they obtained against the victims, and take steps to repair the credit of any affected victim. They are also barred from property management in the future.

## **Refusal of ESA Costs \$35,000**



A New Hampshire landlord agreed to settle a fair housing lawsuit alleging he refused to accommodate a resident. The landlord allegedly refused to allow a resident to keep a dog as an emotional support animal (ESA). He did not deny the accommodation of an ESA, just told the resident he could not have a dog as an ESA. Another animal was okay, but a dog was not permitted as an ESA.

To settle the case, the landlord agreed to pay the tenant \$35,000, enact reasonable accommodation policies and complete fair housing training.



# HOUSING CROSSROADS

WHERE FAIR HOUSING AND  
LANDLORD TENANT LAWS INTERSECT

## Housing Crossroads Webinar

# You're Not on the Lease

## Managing Third Parties

Wednesday, January 26, 2022  
10:00 a.m. - 11:30 a.m. central

In a customer service role, landlords try to be as friendly and accommodating as we can to anyone that walks in our office door. But where do we draw the line? We have to weigh our Residents' right to privacy against our willingness to help out. In this webinar, we'll discuss the most common areas in which leasing professionals has to manage relationships and communications with third parties.

- Guests and Unauthorized Occupants
- Caregivers
- Law Enforcement
- Attorneys
- Family Members
- Other Residents

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



**Nathan Lybarger**  
Law Office of Hall &  
Associates

### Speakers



**Angelita Fisher**  
Law Office of Angelita E.  
Fisher

## DOJ Resolves Fair Housing Lawsuit Against Wolcott, CT

The U.S. Department of Justice has announced it reached an agreement with the Town of Wolcott, Connecticut, to settle a lawsuit alleging the Town violated the Fair Housing Act when it refused to allow the operation of a group home for adults with disabilities in a residential neighborhood. The cost - \$360,000.

The lawsuit alleged the Town of Wolcott violated the Fair Housing Act when it denied a special use permit to the housing provider and property owner, SELF, Inc. and L&R Realty, which sought to open a residence for 13 adults with mental health disabilities. At the time, the Town's zoning regulations permitted the operation of community residences of up to 15 adults with disabilities so long as certain conditions were met. The lawsuit alleged the Town's permit denial was because of the disabilities of the proposed residents. Moreover, after learning about the proposed group home, the Town amended its zoning regulations to prohibit any community residence for adults with disabilities from operating in the Town.



Under the settlement, the Town will pay \$350,000 in monetary damages to SELF and L&R Realty, as well as \$10,000 to the U.S. as a civil penalty. It will allow the SELF's group home to operate with up to 13 residents and will amend its zoning regulations to comply with federal anti-discrimination laws. The settlement also resolves a related suit brought by SELF and L&R Realty.

## MA Housing Authority Sued for Fair Housing Act Violations

The Justice Department has filed a lawsuit against a Massachusetts Housing Authority and its Executive Director, alleging they violated federal law by discriminating against residents based on race, national origin and disability.

The lawsuit was originally filed following an investigation by the U.S. Department of Housing and Urban Development (HUD). HUD found the Housing Authority violated the Fair Housing Act by failing to allow a tenant to transfer to a first-floor or elevator-accessible unit to accommodate her disability. After the DOJ filed the lawsuit, HUD made a second referral under the ADA and the Rehabilitation Act after finding there was more than one incident of disability discrimination. The complaint was amended to allege a resident applied for a transfer based on her disability in 2017, and since that time the Housing Authority offered 10 vacant apartments – any one of which could have accommodated the tenant – to other individuals.



The amended complaint also alleges the Executive Director has made discriminatory statements to and about Black and Hispanic tenants since 2013. These comments include using racial slurs to describe current residents and applicants indicating a preference against having Black and Hispanic residents. Additionally, the Executive Director demanded Spanish-speaking residents speak English.

Lessons Learned: Make accommodations as quickly as possible. Keep good records of accommodation requests and do not make comments about residents and applicants.

## English-Only Complaint Settles for \$9,000

The U.S. Department of Housing and Urban Development (HUD) announced it has reached an Agreement with multiple management agents and owners of four HUD-subsidized apartment complexes in southern California. The Agreement resolves allegations the property managers refused to rent to or provide adequate language services for applicants with limited English proficiency.

The case began when a HUD Fair Housing Initiatives Program agency filed four fair housing complaints after it conducted testing. The tests allegedly showing that on-site managers at the properties refused to rent to applicants with limited English proficiency and told Spanish speaking applicants they needed to speak English in order to be added to properties' waiting lists. In addition, non-English speaking applicants were also allegedly told that they had to provide their own interpreters.

Under the Agreement, the management agents and owners of the properties will pay \$9,000 to the agency which conducted the testing, complete fair housing training, and comply with HUD's LEP Guidelines entitled "Final Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons."



## Fair Housing Webinar

### "You Can't Ask Me That Question"

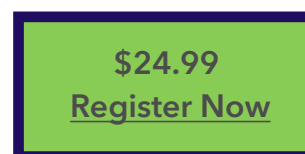
Wednesday, February 9, 2022  
10:00 a.m. - 11:00 a.m. Central

**\$24.99**

Every property manager has probably wondered if they violated fair housing laws when they asked an applicant or resident a question. Are you disabled? Do you have any animals? Have you been convicted of a felony?

In this webinar, we will discuss 10 common questions that are off-limits for property staff. Our topics will include questions about:

- Previous residency
- Disabilities
- Animals
- Criminal history
- Family make-up
- And much, much, more



## Annual Three-Part Webinar Series



### **Part One** **March 9, 2022** **Fair Housing Fundamentals**

[Register for Part One Only](#)

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 16, 2022** **Common Fair Housing Issues**

[Register for Part Two Only](#)

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 23, 2022** **Making Reasonable Accommodations and Modifications**

[Register for Part Three Only](#)

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](#)  
**\$69.99**