



Fair Housing Newsletter

Keeping you current on fair housing news and issues



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HUD Proposes to End Disparate Impact Regulations

On January 14, 2026, the Department of Housing and Urban Development published a proposed rule titled “HUD’s Implementation of the Fair Housing Act’s Disparate Impact Standard.” The proposed rule would remove the current Fair Housing Act regulations outlining the disparate impact standard.

Disparate impact claims typically arise when facially neutral policies or procedures cause discriminatory effects among protected classes, even in the absence of evidence that the policies or procedures were motivated by discriminatory intent. An example of this would be the theory that landlords who have a blanket “No Felony” policy discriminate by causing a disparate impact on Black and Hispanic men and therefore, violate the Fair Housing Act.

While HUD may be successful in removing the regulations, in 2015 the U.S. Supreme Court in *Texas Dept. of Housing and Community Affairs v. Inclusive Communities Project, Inc.*, found there was a theory for disparate impact under the Fair Housing Act. As such, the disparate theory will likely live on in the Fair Housing arena – just not for HUD.



Note From the Editor: For such a short month, February has a lot going on. It is not only the month for Valentines, it is also Black History Month and American Heart Month. Be sure to stay warm while you celebrate.



HUD Investigating Minneapolis

The Department of Housing and Urban Development has notified the City of Minneapolis that it has launched an investigation into the City's housing plans, which HUD believes may violate the Fair Housing Act and Title VI of the Civil Rights Act of 1964.

HUD's concerns include:

- The "Minneapolis 2040" plan where the City promises to prioritize housing resources for "cultural districts" which are areas "significantly populated by people of color, indigenous people and/or immigrants";
- Minneapolis' vow to "focus on people of color" and "indigenous people" when expanding support programs for homeowners; and
- The City's current Strategic and Racial Equity Action Plan which aligns "racial equity goals with department plans and budgets." For example, the City's department of Community Planning and Economic Development promised to leverage its rental licensing authority to prioritize "rental housing for Black, Indigenous, People of Color and Immigrant communities." HUD Secretary Turner has stated that "HUD will not stand for illegal racial and ethnic preferences that deny Americans their right to equal protection under the law."



HUD Closes Texas Investigation

After a thorough investigation, the Department of Housing and Urban Development has closed a civil rights investigation into the Texas General Land Office's distribution of disaster mitigation funds.

The investigation was based on allegations that the Texas GLO engaged in racial discrimination when making grant awards based on the theory of disparate impact. The allegations were found to be baseless and unfounded. Texas GLO was found to have complied with federal standards to administer a race-neutral competition for high-impact disaster mitigation projects.

Did You Know?

One neighbor can sue another for fair housing violations.

Court Reduces Sexual Harassment Verdict

A Massachusetts federal court has reduced a jury verdict against a housing provider who allegedly sexually harassed female residents.

In 2021, the U.S. Department of Justice filed a lawsuit on behalf of several women who had been residing or seeking to reside in sober living homes. The lawsuit alleged the owner / operator of the homes sexually harassed the women. In 2024, a jury returned a verdict awarding the harassed women a total of \$3,850,000. The court reviewed the award and found it was too high. The court then reduced the award to \$1,420,000. The women have now asked for a reconsideration of the reduction.



Housing Crossroads Webinar

Residents Behaving Badly

Wednesday, February 25, 2026
Rescheduled from January 28, 2026 due to Weather
10:00 a.m. - 11:30 a.m. central

Somehow, every property has one or two residents that are always walking-the-line of eviction. These few residents consume most of the manager's time with investigations, inspections, and sending out notices. Everything they do seems to either be a violation of the lease or cause a problem with a neighbor.

In this webinar, we will discuss some common problems when residents behave badly and give landlords some guidance on how to address the problems. Our discussion will include:

- Refusal to Allow Access to the Apartment
- Unauthorized Occupants
- Unauthorized Pets
- Damage to the Property
- Bad Housekeeping

\$34.99
[Register Now](#)



Nathan Lybarger
Law Office of Hall &
Associates

Speakers



Angelita Fisher
Law Office of Angelita E.
Fisher

Source of Income Lawsuit Settled

The Fair Housing Justice Center (FHJC) announced it has settled a source-of-income lawsuit against a Queens, New York, apartment building.

The lawsuit was filed after the FHJC sent testers posing as renters to inquire about an online listing for an available apartment in the building. Testers who claimed to derive their income solely from employment were allegedly met with enthusiasm and the agent eagerly responded to emails and texts, scheduled viewings, and encouraged the testers to submit applications for the unit. However, those testers who stated they would be using a Housing Choice Voucher to pay their rent, were met with resistance and courtesy.



While denying the allegations, the Defendants agreed to pay \$303,800 in damages and costs. They have also agreed to apply neutral policies, procedures, and rules to all rental applicants and attend fair housing training.

The New York State and City Human Rights Laws prohibit discrimination based on source-of-income.

DOJ Settles Sexual Harassment Lawsuit

The U.S. Department of Justice announced it has settled a Fair Housing Act lawsuit against the Housing Authority of the City of Bloomfield, Missouri. The lawsuit alleged the former executive director subjected a female housing applicant to unwelcome sexual comments and touching without her consent, and offered to place her on the wait list for housing in exchange for sex. The lawsuit also alleged that the Housing Authority is vicariously liable for the former director's unlawful conduct.

The Housing Authority has agreed to pay \$35,000 to the applicant. The settlement agreement permanently bars the former executive director from managing residential rental properties in the future and requires employees of the Housing Authority to complete Fair Housing Act training.

Iowa Landlord Settles Sexual Harassment Lawsuit

The U.S. Department of Justice and an Iowa property owner and manager have agreed to settle a sexual harassment lawsuit. The amount? \$325,000.

The lawsuit, filed in 2025 by the DOJ alleged the property manager sexually harassed female tenants for over 20 years. The allegations included: making unwelcome sexual comments and sexual advances to female tenants; exposing his genitals to female tenants; requesting sex or sex acts from female tenants in exchange for housing benefits like reductions in rent; and taking adverse housing actions, such as initiating evictions or refusing to make repairs, against female tenants who objected to or refused his sexual advances. The lawsuit also named the property owner as the owner is vicariously liable for acts committed by his/her employees.

Under the settlement agreement, the landlord must pay \$315,000 to tenants who were harmed by the harassment and a \$10,000 civil penalty to the U.S. The settlement agreement also permanently bars the manager from contacting tenants or managing residential rental properties in the future.



HUD Issues Letter on Immigration Status for Federally Assisted Properties

On January 12, 2026, the U.S. Department of Housing and Urban Development (HUD) issued a letter to Public Housing Authorities (PHAs) and private owners of project based rental assistance properties (Owners), reminding them that federal housing assistance is limited to U.S. citizens and noncitizens who have eligible immigration status. The letter also outlines the requirements.

More specifically, the letter states that PHAs and Owners must:

- Document and verify the citizenship or eligible immigration status of individuals prior to admission to the Section 8 Project Based Rental Assistance (PBRA) program; and
- Prorate assistance for any “mixed-status household” in which an ineligible noncitizen resides.

In a follow-up letter on January 28, 2025, HUD is now requiring all PHAs to use the new Enterprise Income Verification system (EIV) to verify citizenship or the immigration status of all current residents within 30 days.

HUD also issued a letter on November 25, 2025 to PHAs and Owners, on the use of criminal records as criteria and for purposes of terminating assistance.



Fair Housing Webinar Responding to Resident Complaints

Wednesday, February 11, 2026
10:00 a.m. - 11:00 a.m. Central

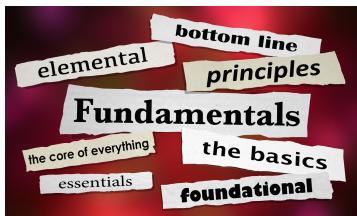
\$24.99

It happens almost every day: One neighbor complains about another neighbor. Whether it is noise, parking, arguments, or visitors, any complaint can become a fair housing problem. In this webinar, we will take a step-by-step approach to investigating and responding to residents' complaints. Our discussion will include:

- Identifying a Fair Housing Complaint
- Interviews
- Documentation
- Making a Decision
- Following – Up

[Register Now](#)

2026 Three-Part Webinar Series



Part One

Tuesday, April 14, 2026, 10:00 a.m. - 11:00 a.m. central
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; HUD Updates; Two Types of Discrimination; Two Types of Harassment; The Complaint Process; and Retaliation.



Part Two

Wednesday, April 15, 2026, 10:00 a.m. - 11:00 a.m. central
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 face these common issues. 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

Thursday, April 16, 2026, 10:00 a.m. - 11:00 a.m. central
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.

[Register for All Three Webinars](#)

\$ 64.99