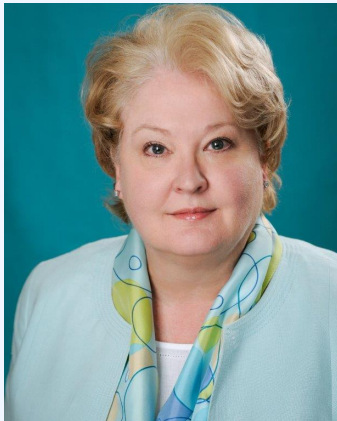




Fair Housing Newsletter

Keeping you current on fair housing news and issues



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Federal Agencies Publish Tenant Resource on Background Checks

The U.S. Department of Justice (DOJ), the Federal Trade Commission (FTC), the Consumer Financial Protection Bureau (CFPB) and the Department of Housing and Urban Development (HUD) have jointly published a resource for rental housing applicants and tenants outlining their rights under federal laws related to tenant background checks.

The newly published resource provides information on how tenant background checks work, what kinds of background information a landlord might receive from tenant background check companies, how applicants

and tenants can respond if they think that information is wrong and their rights under federal laws. Additionally, the resource explains how background checks can lead to illegal discrimination, even if there is no factual error in the report. Finally, the resource provides applicants with information on how to file a complaint if they believe their rights have been violated.

Find the resource at: <https://www.justice.gov/crt/media/1344561/dl?inline>



Note From the Editor: April is Fair Housing Month. This year HUD is celebrating the 56th anniversary of the Fair Housing Act. It was signed by President Lyndon B. Johnson on April 11, 1968. April is also a good month to get fair housing training. Need help? Let me know.



DOJ Sues New Mexico Property Manager for Sexual Harassment

The U.S. Department of Justice filed a lawsuit against a New Mexico Property Manager for allegedly sexually harassing female tenants in violation of the Fair Housing Act.

The lawsuit alleges that between 2010 and 2022, the Manager requested sex acts from female tenants, subjected female tenants to unwelcome sexual touching, made unwelcome sexual comments and advances to female tenants, locked female tenants in his office to demand sex acts, demanded that female tenants engage in sex acts with him in order not to lose housing and entered female tenants' homes using the pretext of property management work to demand sex acts.

The lawsuit also names the Owners and Management Company as defendants. 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.



Did you know?

An applicant or tenant has two years after the alleged discrimination to file a federal lawsuit.

HUD Launches Website to Combat Source of Income Discrimination

The U.S. Department of Housing and Urban Development has launched a new website detailing protections against Source of Income discrimination for families with Housing Choice Vouchers. HUD describes source of income discrimination as the practice where landlords, owners, and real estate brokers refuse to rent to current or prospective qualified tenants with a housing choice voucher or other forms of public assistance.



The new website explains what source of income discrimination looks like, identifies states and local jurisdictions that prohibit it, and provides resources for people who believe they have experienced this form of discrimination. HUD launched this resource in alignment with the principles laid out in the Biden-Harris Administration's Blueprint for a Renter's Bill of Rights

Source of income discrimination is not specifically prohibited by federal law, although some have made the argument it causes a disparate impact on one or more protected classes and thus, violates the Fair Housing Act.



HOUSING CROSSROADS

WHERE FAIR HOUSING AND
LANDLORD TENANT LAWS INTERSECT

Housing Crossroads Webinar

Top 10 Ways to Lose Your Lawsuit

Wednesday, April 24, 2024
10:00 a.m. - 11:30 a.m. central

No one wants to lose a case in court. It is expensive, it is time-consuming and it is down-right embarrassing. Every day, there are more and more pitfalls for landlords to avoid. In this webinar, we'll discuss the most common reasons that landlords lose their eviction case in court, or fail to defend a Fair Housing claim. Our discussion will include:

1. Enforcing the Pet Policy Against an Emotional Support Animal
2. Taking Rent
3. Not Responding to Resident Complaints
4. Failing to Bring Proof
5. Making Inappropriate Comments about Residents
6. Detrimental Emails & Text Messages
7. Having a No-Felony Policy
8. Improper Courtroom Decorum
9. Failing to Discuss Accommodation Issues with a Resident
10. Bad Luck

\$34.99
[Register Now](#)



Nathan Lybarger
Law Office of Hall &
Associates

Speakers



Angelita Fisher
Law Office of Angelita E.
Fisher

HUD Charges GA Landlord with Disability Discrimination

The U.S. Department of Housing and Urban Development has charged a Georgia property management company and the property owners with discrimination against a tenant for refusing an accommodation request and modifications. The Charge alleges that the management company and owners failed to grant a reasonable accommodation when a hearing-impaired resident requested to have a service animal, visual doorbells and visual smoke detectors.



HUD's charge will be heard by a United States Administrative Law Judge unless any party to the charge elects to have the case heard in federal district court or it is settled.

Did you know?

The protected classes of disability and familial status were not added to the Fair Housing Act until 1988.

HUD Charges Texas Housing Authority with Disability Discrimination

The U.S. Department of Housing and Urban Development has charged a Texas Housing Authority, its Executive Director and the Vice-President of the Housing Authority Housing Commission with discriminating against and failing to provide a reasonable accommodation for a tenant with a disability.

The Charge alleges the Housing Authority terminated the lease of a tenant with diabetes following a medical episode caused by his blood sugar level. During the episode, the tenant became disoriented and knocked on doors which frightened the neighbors. The tenant requested an accommodation of allowing him to stay in his apartment and even provided documentation that his symptoms were managed following a change in medication and purchase of a medical alert bracelet. The Housing Authority denied the accommodation and evicted him from the property. Additionally, they banned him from any property owned by the Housing Authority which meant he could not visit his mother.



An Administrative Law Judge will now hear the Charge unless any party elects to have the case heard in federal court or the case is settled.

DOJ Sues Missouri Landlord for Sexually Harassment

The U.S. Department of Justice has filed a lawsuit against a landlord in Springfield, Missouri, for allegedly sexually harassing female tenants in violation of the Fair Housing Act.

The lawsuit, alleges the landlord subjected multiple female tenants to harassment that included: making unwelcome sexual advances; offering to reduce rent or make needed repairs in exchange for engaging in sex acts; subjecting female tenants to unwelcome sexual touching; and initiating eviction actions against female tenants who refused his sexual advances.

The DOJ's 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.



Fair Housing Webinar

Managing Animals on the Property



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

\$24.99

It is a Zoo out there: Pet Spiders, Service Horses, Emotional Support Snakes, and Therapy Pigs! What is a Property Manager to do? What rules apply?

In this webinar, we will discuss the difference between pets, service animals and emotional support animals. We will review policies that a landlord may apply to pets and which he/she may apply to support animals and what documentation a landlord is entitled to. We will discuss:

- Understanding the Difference
- On-Line Health Care Letters
- Aggressive Animals
- Damages and Deposits
- Policies and Restrictions
- Plus, Much, Much, More

\$24.99
Register Now