



Fair Housing Newsletter

Keeping you current on fair housing news and issues



 LAW OFFICE OF
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FL Properties Settle Familial Status Discrimination Lawsuit

The U.S. Department of Justice has settled a lawsuit against three properties in Florida. The settlement will resolve allegations the properties violated the Fair Housing Act by discriminating against families with children.

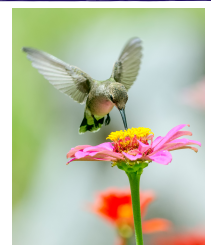


The lawsuit alleged that since at least 2015, the three properties maintained and/or enforced policies prohibiting or limiting children under age 12. The lease even included a provision stating that: “No member, or approved lessee of a member’s Apartment, shall permit any child under the age of twelve (12) years to reside in any of the apartments except as otherwise provided herein, and except for children born to resident members after the acquisition of their lease.”

Under the settlement agreements, the properties will pay a total of \$52,000, including \$39,000 to individuals who were allegedly harmed by the rules and civil penalties to the government to vindicate the public interest.

While some properties qualify for an exemption from the familial status protected class, these did not. To qualify under the Housing for Older Person’s exemption, the property would need to: be provided under a state or federal program that HUD has determined to be designed and operated to assist elderly persons; be intended for and occupied by persons 62 years of age or older; or be intended for and occupied by persons 55 year of age or older.

Note From the Editor: January is gone and spring is just around the corner. Get a jump on the year and get your annual fair housing training. Sign up for our 2024 Three-Part Webinar Series. More information on Page 4.



DOJ Files Lawsuit Against Landlord for Sexually Harassment

The U.S. Department of Justice has filed a lawsuit against an Oklahoma landlord for allegedly sexually harassing female tenants in violation of the Fair Housing Act. The lawsuit alleges the landlord subjected female tenants to unwelcome sexual contact and comments about their physical appearances; physically assaulted tenants; entered tenants' bedrooms without consent; photographed and filmed female tenants in their bedrooms and bathrooms; and demanded that female tenants engage in sexual acts with him under threat of losing their housing.

The lawsuit seeks money damages to compensate women harmed by the alleged harassment, a civil penalty and a court order prohibiting future acts of discrimination and harassment.

HUD Charges Montana Landlord with Retaliation

The owner and manager of a ten-unit apartment complex in Montana has been charged with retaliation in violation of the Fair Housing Act. The U.S. Department of Housing and Urban Development (HUD) has charged the owner/manager with retaliatory behavior including coercion, intimidation and threats.

HUD's charge allege the landlord invited a tenant's daughter on a ride, sat very close to her and called her "cute." It also alleges the landlord asked the daughter when the tenant would and would not be home. When the daughter told the tenant about the incident, the tenant contacted the landlord and told him that his conduct toward her daughter was inappropriate.

After the incident, the landlord began retaliating against the tenant by sending multiple threats of eviction, revoking her privileges, and sending harassing text messages. The tenant ended up leaving the property and moving to less desirable and more expensive housing. If the allegations are true, the landlord's actions would violate the Fair Housing Act.

A United States Administrative Law Judge will now hear the charge unless any party elects to have the case heard in Federal district court or the case is settled.



Landlord Settles Servicemembers' Rights Case

A Virginia landlord has settled a lawsuit filed by the U.S. Department of Justice alleging it violated the Servicemembers Civil Relief Act (SCRA) by imposing early lease termination charges and additional rent on a servicemember. The cost of settlement? \$10,225.65 plus a civil penalty.

The lawsuit alleged the landlord had a policy of refusing to honor servicemembers' lease terminations when servicemembers received permanent change of station orders to a new duty station that was fewer than 35 miles (radius) from the apartment. The SCRA allows servicemembers to terminate a residential lease early, without penalty, if they receive permanent change of station orders or enter military service during the term of the lease. The SCRA places no mileage restrictions on servicemembers' residential lease termination rights.

The lawsuit was filed following an investigation by the U.S. Attorney's Office. The investigation was initiated after it was reported that a Petty Officer was forced to pay \$3,408.55 in early termination charges and additional rent to the landlord in order to terminate his lease after receiving orders.

Under the settlement, the landlord will pay \$10,225.65 to the Petty Officer and a civil penalty to the government. The landlord will also stop enforcing a 35-mile limitation on servicemembers.



HOUSING CROSSROADS

WHERE FAIR HOUSING AND
LANDLORD TENANT LAWS INTERSECT

Housing Crossroads Webinar

Residents Behaving Badly

Wednesday, February 28, 2024
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 be either 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
- Threats of Violence

\$34.99
[Register Now](#)



Nathan Lybarger
Law Office of Hall &
Associates

Speakers



Angelita Fisher
Law Office of Angelita E.
Fisher

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

TN Management Co. Settles Disability and VAWA Noncompliance Issues

A Tennessee Management Company has entered into a Voluntary Compliance Agreement with the U.S. Department of Housing and Urban Development settling claims of noncompliance with Section 504 of the Rehabilitation Act and the Violence Against Women Act (VAWA). The property is located in Memphis and receives HUD funding.



The noncompliance issues were discovered during a limited HUD compliance review. They included failure to transfer and failure to assign reserved parking for disabled residents. In addition, while the compliance review did not include a review of the VAWA policies, at least two VAWA noncompliance issues were also discovered.

Under the agreement, the management company will pay \$50,000 to the five individual tenants. The company will also amend its reasonable accommodation transfer log, revise its transfer and VAWA policies and construct or convert accessible units. The company has also agreed to designate a VAWA Coordinator, respond to VAWA-related grievances within ten days, and attend VAWA training.

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](#)