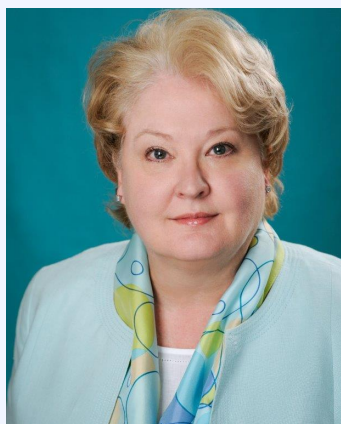




Fair Housing Newsletter

Keeping you current on fair housing news and issues



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DOJ Settles Claims Against Greystar

The U.S. Department of Justice has agreed to resolve the claims it made against Greystar Management Services LLC. The claims included allegations that Greystar and other property management companies, shared data to generate pricing recommendations using RealPage's algorithms, which also included anticompetitive rules that aligned competitors' pricing. In addition, Greystar and other landlords allegedly discussed competitively sensitive topics — including pricing strategies, rents, and selected parameters for RealPage's software — directly with each other.

If approved by the court, the proposed settlement would require Greystar to:

- Refrain from using any algorithm that generates pricing recommendations using its competitors' sensitive data or that incorporates certain anticompetitive features;
- Refrain from sharing competitively sensitive information with competitors;
- Accept a court-appointed monitor if it uses a third-party pricing algorithm that is not certified pursuant to the terms of the consent decree;
- Refrain from attending or participating in RealPage-hosted meetings of competing landlords; and
- Cooperate with the United States' monopolization claims against RealPage.

The conciliation agreement did not include a monetary element to the settlement.

Note From the Editor: Welcome to September. As we turn the calendar, we also turn our attention to fair housing training for maintenance employees. The annual webinar training is designed specifically for issues faced each day by maintenance employees. For more information, see page 5.



Retaliation May Include Sending Threatening Notice

Retaliation is unlawful under the Fair Housing Act when a housing provider takes an adverse action against a tenant or applicant because they have engaged in protected activity. But what is an adverse action? Generally, it is anything that would dissuade a person from the exercise of their rights - including a threatening letter, according to a Maryland court.

In this case, a Maryland homeowner filed a fair housing complaint with HUD against their homeowner association (HOA) alleging discrimination based on familial status. The complaint was investigated and HUD found no evidence of discrimination. Afterwards, the HOA sent the homeowner a letter demanding payment for an assessment and threatening to place a lien on the home if the HOA was not paid.

The homeowner filed a federal lawsuit alleging retaliation. The HOA asked the court to dismiss the retaliation claim regarding the letter. The court denied the HOA's request. Instead, the court held that the letter may be an adverse action because it could dissuade a reasonable person from exercising their rights. Therefore, a jury will get to decide.

Lesson Learned: Be careful when you are sending notices and letters to residents who have complained of fair housing violations – even if there is no evidence of discrimination.



Did you know?

Although the Trump Administration has stopped HUD from pursuing disparate impact cases, private lawyers and non-profit groups may still bring those claims in court.

Maryland Supreme Court Reverses Dismissal of Fair Housing Case

The Maryland Supreme Court has reversed a lower court's dismissal of a fair housing case and sent it back to the lower court for further determination. The lawsuit claims that a policy of requiring income of 2.5 times the rent, causes a disparate impact on families with vouchers in violation of fair housing laws.

The case began when an applicant with a housing voucher was denied housing because she did not make a minimum of \$3,975 a month. The rent was \$1,590 a month. She had a voucher that paid \$1,464. The amount of rent she was personally required to pay was only \$126 a month. Instead of requiring her to income qualify by making at least 2.5 times \$126, the housing provider denied her because she did not make 2.5 times \$1,590.

The applicant filed a lawsuit in state court claiming the policy discriminated against her based on the fact she was a voucher holder – a protected class in Maryland. The lower court dismissed her lawsuit and she appealed.

The Maryland Supreme Court held that the policy was applied consistently, therefore there was no disparate treatment. However, the policy could create a disparate impact. Accordingly, the court sent the case back to the lower court for further proceedings.





HOUSING CROSSROADS

WHERE FAIR HOUSING AND
LANDLORD TENANT LAWS INTERSECT

Housing Crossroads Webinar

When ICE Comes Knocking

Wednesday, September 24, 2025
10:00 a.m. - 11:30 a.m. central

We have all heard and seen on the news the tremendous uptick in activity from U.S. Immigrations and Customs Enforcement (ICE). It's only a matter of time before ICE comes to a property near you.

In this webinar we'll discuss best practices when interacting and responding to ICE requests, including:

- Allowing access to the property
- Responding to subpoenas
- Allegations of discrimination due to National Origin
- Responding to questions from residents and media
- New Tennessee law that may implicate housing providers
- And much, much more

\$34.99

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Nathan Lybarger
Law Office of Hall &
Associates

Speakers



Angelita Fisher
Law Office of Angelita E.
Fisher

Lawsuit Going to Trial Based on National Origin Comments

A New Jersey lawsuit is set to go to trial based on a former town official's alleged comments about the developers' national origin and the denial of a bond. If true, these comments and differential treatment may violate the Fair Housing Act and state fair housing laws.

The case involves the development of land. The company wants to build 175 houses on land it already owned. The developers are immigrants from Portugal and claim the development was blocked because of their national origin. More specifically, the developer claims that a city administrator told him 'We don't want you or your Portuguese friends.' The former city official denies the claims. Additionally, the town allegedly offered other potential buyers who were not immigrants a \$1.85 million bond, but did not offer the same financial support to the developer and his team.

After the alleged comment, the developer filed a federal lawsuit. The judge recently ruled that there is enough evidence of discrimination and that a jury should decide.

Fair Housing Webinar

Common Accommodations and Modifications

Wednesday, September 10, 2025
10:00 a.m. - 11:00 a.m. Central



Under the Fair Housing Act, it is unlawful for landlords to refuse to make reasonable accommodations to rules, policies, practices, or services when such accommodations may be necessary to afford persons with disabilities an equal opportunity to use and enjoy a dwelling and public and common use areas. While most landlords understand they need to make accommodations and modifications, the process is rarely simple.

In this webinar, we will discuss some of the common requests landlords receive as well as who will pay and what information you may be entitled to have about a resident's disability. Our discussion will include:

- The Difference in Accommodation & Modification and Who Pays
- The Interactive Process
- Support Animals
- Transfers
- Paying Rent Late
- Hard Flooring
- Ramps and Grab Bars
- Hoarding & Bad Housekeeping
- And much, much, more...

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Phoenix Families File Fair Housing Lawsuit over Amenities

Seven former residents of an apartment building in Phoenix, Arizona, filed a federal lawsuit alleging violations of the Fair Housing Act based on familial status. The lawsuit alleges the families, who all had minor children, were denied access to amenities.

According to the lawsuit, a policy was implemented in October, 2022, that banned children under the age of 13 from accessing the building's amenities, including a swimming pool, fitness center, and co-working spaces—all housed in a separately managed entity known as the "X Club." These amenities had previously been made available to residents, including the families, as part of their lease agreements.

The families allege that the policy created unequal terms and conditions for families with children, making them feel unwelcome and effectively forcing them to vacate their homes, while residents without children, continued to enjoy unrestricted access to the amenities. No decision has been made as to the legality of the policy.

Judge Orders HUD to Release Fair Housing Funds

A federal judge has ordered the U.S. Department of Housing and Urban Development to release \$32 million in funds to private fair housing organizations. These funds had already been appropriated to organizations that support fair housing enforcement. In the past, these organizations have processed the majority of housing discrimination complaints throughout the country. An appeal will likely be filed.



Fair Housing Webinar

Walking Into Trouble

Fair Housing for Maintenance

Wednesday, October 15, 2025

10:00 a.m. - 11:00 a.m. Central

Maintenance employees are on the front-line of the battle of avoiding fair housing complaints. They often see and interact with the residents more than anyone else in the Company. It is important maintenance employees know what to say and do before they walk into a problem. In this webinar, we will discuss common issues maintenance employees encounter and some realistic steps they can take to avoid getting in trouble with HUD. Our topics will include:

- Encountering Nude & Partially Nude Residents
- Dating Residents
- Apartments with Only Minor Children
- Recognizing a Hoarder
- Managing Maintenance Requests

\$24.99
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