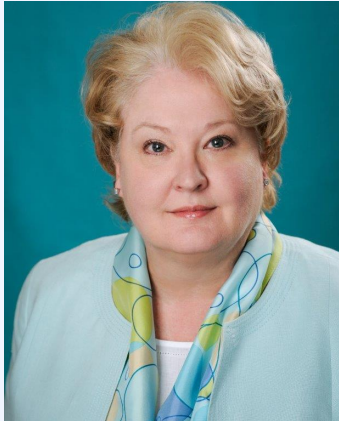




# Fair Housing Newsletter

*Keeping you current on fair housing news and issues*



 LAW OFFICE OF  
**ANGELITA E. FISHER**

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Angelita Fisher is an attorney in the Nashville, TN area. She has over 20 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.  
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6688 Nolensville Road

Suite 108-161

Brentwood, TN 37027

615-305-2803

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

## Sexual Harassment Case Settles for \$480,000

The U.S. Department of Justice (DOJ) announced it has agreed to settle a sexual harassment lawsuit it filed against an Ohio landlord in 2023. The cost: \$480,000.

The lawsuit alleges the owners and operators of rental properties violated the Fair Housing Act when a former manager sexually harassed female tenants and prospective tenants for almost twenty years.

Under the settlement, the landlord has agreed to pay \$470,000 to women harmed by the former manager's conduct and a \$10,000 civil penalty to the United States. The agreement also:

- prohibits the landlord from retaining or otherwise permitting the former manager to manage their rental properties;
- requires the landlord to adopt policies and procedures to prevent future sexual harassment at their properties; and
- requires the landlord to attend training on the requirements of the Fair Housing Act, including its prohibition on sexual harassment.



This settlement is part of the DOJ's Sexual Harassment in Housing Initiative, which was launched in October 2017. Since launching the initiative, the DOJ has filed 52 lawsuits alleging sexual harassment in housing and recovered nearly \$16.6 million for victims of such harassment.

Note From the Editor: Happy New Year! The new year is certain to bring more changes to fair housing laws. Be sure to keep updated including signing up for the 2026 Three-Part Fair Housing Webinar Series. See page 7 for more information.



## HUD Investigates City of Boston for Fair Housing Act Violations

The U.S. Department of Housing and Urban Development (HUD) announced it has notified the City of Boston that it has initiated an investigation into the City's "Diversity, Equity, and Inclusion" (DEI) housing practices, which HUD believes violate civil rights protections under the Fair Housing Act and Title VI.



In a press release, HUD stated "We believe the City of Boston has engaged in a social engineering project that intentionally advances discriminatory housing policies driven by an ideological commitment to DEI rather than merit or need. . ." According to HUD, examples of the City's alleged racially discriminatory housing plan include:

- Social Justice Homebuyer Outreach: The City is allegedly targeting Black and Latino families for housing outreach.
- Racial and Sex-Based Quotas: The City has announced that at least 65% of opportunities to buy homes through the City of Boston initiatives should go to black, indigenous, or person of color households.

## Refusal of Assigned Parking Cost Landlord \$20K



A Pennsylvania court has upheld a decision by the Pennsylvania Human Relations Commission directing a landlord to approve the accommodation of assigned parking and pay the resident \$20,000.

Parking is a common problem. In this case however, it was an un-common enormous problem. The elderly and disabled high rise had 156 apartments and only 17 parking space. The landlord attempted to solve the problem by placing residents on a waitlist for parking. After a couple requested an accommodation because of a disability, the landlord told the resident they could be placed on the wait list, but could not be put above other residents.

The residents filed a complaint with the Pennsylvania Human Relations Commission. An administrative law judge held on behalf the residents and awarded them \$20,000. The landlord appealed to a state court. The court upheld the administrative law judge's opinion. No matter the number of spaces, those disabled residents asking for accommodations must come first.

## DOJ Sues Michigan Landlord for Sexual Harassment

The U.S. Department of Justice (DOJ) has announced that it has filed a lawsuit against the owner and manager of rental properties located in and around Westland, Michigan. The DOJ alleges the landlord engaged in sexual harassment and retaliation in violation of the Fair Housing Act.



According to the lawsuit, the landlord offered housing-related benefits in exchange for sexual contact, made unwelcome sexual comments and advances to female tenants, subjected female tenants to unwelcome touching and groping, and took adverse housing-related actions against female tenants who refused his sexual advances. The lawsuit seeks monetary damages to compensate female tenants harmed by the alleged harassment, civil penalties to vindicate the public interest, and a court order barring future discrimination.



# HOUSING CROSSROADS

WHERE FAIR HOUSING AND  
LANDLORD TENANT LAWS INTERSECT

## Housing Crossroads Webinar

### Residents Behaving Badly

Wednesday, January 28, 2026  
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
- Threats of Violence



Nathan Lybarger  
Law Office of Hall &  
Associates

### Speakers



Angelita Fisher  
Law Office of Angelita E.  
Fisher

## HUD Issues Letter on the Use of Criminal Criteria

On November 25, 2025, 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), on the use of criminal records as criteria and for purposes of terminating assistance.

The letter first reminds PHAs and Owners that three major guidance documents on the use of criminal records in housing decisions have been rescinded. According to HUD, the reason the documents were rescinded was because they have caused confusion about PHA's and Owners' obligations to ensure the safety of HUD assisted families. The rescinded documents include:

- Notice PIH 2015-19, Guidance for Public Housing Agencies and Owners of Federally Assisted Housing on Excluding the Use of Arrest Records in Housing Decisions ("Notice PIH 2015-19")
- 2016 Office of General Counsel Guidance, Application of Fair Housing Act Standards to the Use of Criminal Records by Providers of Housing and Real Estate-Related Transactions ("2016 OGC Guidance")
- 2022 Office of Fair Housing and Equal Opportunity Memo, Implementation of the Office of General Counsel's Guidance on Application of Fair Housing Act Standards to the Use of Criminal Records by Providers of Housing and Real Estate-Related Transactions ("2022 FHEO Memo")

The November letter also reminds PHAs and Owners of their mandatory requirement to deny admission to or to terminate the residency of anyone that



- has been previously evicted from Federally-assisted housing within the past three years for drug-related criminal activity;
- is currently engaged in the illegal use of drugs or if such drug use reasonably would cause a threat to the safety of the individuals living in a property;
- has been convicted of producing methamphetamine in Federally-assisted housing;
- is subject to a lifetime sex offender list; or
- has a history of alcohol abuse that a responsible entity reasonably believes threatens the health, safety or right to peaceful enjoyment of the property.

The letter further reminds PHAs and Owners that they have broad discretion to screen for suitability of tenancy or program participation for all relevant circumstances, including a history of criminal activity which would adversely affect the health, safety, and peaceful enjoyment of the property.

HUD encourages PHAs and Owners to be proactive to ensure the safety of the families they serve. They should continuously monitor for criminal activity and take steps to immediately act if information is found that could result in a termination of tenancy.



## New Jersey Appeals Court Decides Chicken ESA Case

Can six chickens be emotional support animals? According to a New Jersey appeals court the answer is maybe.

The case began when a homeowner association requested that a resident get rid of her six chickens. The resident claimed all six were emotional support animals (ESAs). In response, the HOA offered to allow the resident to keep one chicken and get rid of the other five. The resident refused.



When the case made its way to court, the lower court dismissed the fair housing claims because the resident had not shown that a chicken was necessary as an ESA since it was considered a unique farm animal and not a domestic animal. In other words, the resident had not shown why she needed a chicken as opposed to a domesticated animal.

The resident appealed and the appeals court agreed with the lower court. Not only had the resident not provided documentation from a healthcare provider as to why she needed the unique animal, but also she failed to show individual reasons for each chicken. She did not answer the question as to why she needed six of them instead of just one. Case dismissed. The chickens need to go.



## Fair Housing Webinar

### Managing Animals on the Property

Wednesday, January 14, 2026  
10:00 a.m. - 11:00 a.m. Central

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](#)

## Landlord Wins Lawsuit over Flag Ban



The U.S. Court of Appeals for the Seventh Circuit has upheld a lower court's dismissal of a resident's lawsuit alleging she was discriminated against because her landlord prohibited her from having a Palestinian flag in her window.

The case began when a resident placed a Palestinian flag on a pole near her open apartment window. Not only could the flag be seen from the outside, it was partially outside of the open window. The landlord received a complaint and asked the resident to take down the flag. The landlord explained that the property had a "neutrality" policy and would not allow Israeli or Palestinian flags to be flown during the conflict between the two nations. The resident refused to remove the flag stating she was flying the flag to "express love and pride in her heritage."

The landlord evicted the resident. The resident sued claiming she had been discriminated against based on her national origin. As proof, she stated that other residents displayed flags and artwork but she did not believe they had been given a notice to take down the flags. The lower court dismissed the lawsuit and the resident appealed. The appeals court upheld the dismissal.

In this case, the resident had not alleged that the property had the intent to discriminate – only that they had a "neutrality" policy. The resident also did not provide evidence of the other residents' national origin and evidence others had not received notices about the flags they were displaying. It is not unlawful to have a "neutrality" policy.

**Caution!** A landlord who applies their policies selectively can find themselves in court without a good defense. The outcome of this case could have been much different if the resident been represented by an attorney and had the necessary evidence.

## Court Grants Injunction on Misbehaving Assistance Dogs

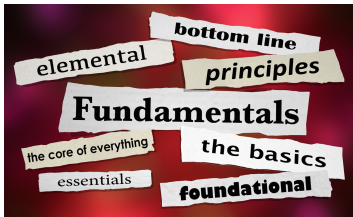
The Superior Court of Connecticut granted a permanent injunction against a condo owner after his dogs misbehaved – even though the resident claimed one was an emotional support animal (ESA) and the other was a service animal.

After having reports of a condo owner's dogs being outside without a leash and one biting another resident, the condo association sent the owner a notice to get rid of the dogs. The owner responded with an accommodation request alleging one dog was an ESA and the other was a service animal. The condo association requested documentation, which the owner failed to provide. The condo association then went to court to request a permanent injunction against the owners of the dogs. While in court, the owner, for the first time, provided documentation that his spouse had dementia and needed both dogs for support. The court heard all the evidence and granted a permanent injunction against the dog owner requiring the dogs:

- Wear a muzzle and harness and kept on a non-retractable leash at all times when the dogs were outside of the owner's unit;
- Be under the control of a person with the capability to control the dogs when outside; and
- Install a gate at the top of the stairs of the bedroom floor of the condo unit and another at the bottom of the stairs and a third at the foot of the stairs leading to the garage area so the dogs could not escape if a door was opened.

The condo association could also regularly inspect the premises to make sure the gates were secure and in place. Had the owner not provided information regarding the disability and disability-related need for the animals, the court would likely ordered that the dogs be removed from the property.

## 2026 Three-Part Webinar Series



### **Part One** **Tuesday, April 14, 2026** **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** **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** **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: Understanding the Difference between an Accommodation and Modification;

[Register for All Three Webinars](#)  
**\$ 64.99**

**Paying for the Accommodation/Modification; Getting the Paperwork Right; and Common Accommodations.**

