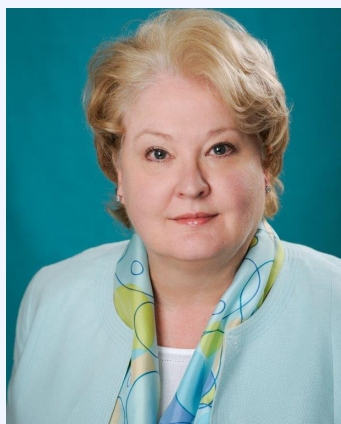




# Fair Housing Newsletter

*Keeping you current on fair housing news and issues*



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## TN Legislature Votes to Dissolve the TN Human Rights Commission

The Tennessee General Assembly has passed a bill that will dissolve the Tennessee Human Rights Commission (THRC). House Bill HB0910 will move enforcement of the Tennessee Human Rights Act to the Attorney General's office.

The move will include taking 30 positions from the THRC and moving them to the AG's office. However, there is no assurances that the THRC investigators or employees will also transfer to the AG's office.

According to the bill, if you have a pending employment law complaint or a pending fair housing complaint with the THRC, it will be dismissed on June 30, 2025. Complainants will then have 90 days to re-file those complaints with the AG's office, if they choose to do so.

The process for responding to the new AG complaints will be different from the response process at the THRC. The new process will likely result in more cost to landlords.

The bill was signed by the Speaker of the House on April 30, 2025. If signed by the Governor, the bill will become effective July 1, 2025.



**Note From the Editor:** The Fair Housing world is changing. We don't know if the change will benefit landlords, but there is definately a change coming. From funding to legislation you will need to keep updated on how the changes will effect you or your organization.



## AGs Weigh in on Fair Housing Funding

Earlier this year, HUD cancelled 78 pre-existing Fair Housing Initiative Program grants to fair housing non-profit groups – effective immediately. Subsequently, a lawsuit was filed by a coalition of fair housing nonprofit groups against the Trump administration over the cancellation of the grants. Now a group of 21 state Attorney Generals have filed an amicus brief in the case in support of the nonprofits. They are asking the U.S. Court of Appeals for the First Circuit to reinstate the funding for fair housing organizations across the country and to reinstate a lower court's temporary restraining order to keep the funding intact. The AGs argue that HUD has a statutory requirement to provide the grants.



Funding to private, non-profit fair housing organizations was established by Congress in 1988 by the passage of the Fair Housing Initiative Program. This funding is used by private organizations to investigate and address discriminatory housing practices and enforce state and federal fair housing laws.

## Did You Know?

**A pregnant individual is covered under the protected class of familial status.**

## KY Judge Dismisses Resident's Accommodation Claim

A U.S. Federal Judge in the Western District of Kentucky has dismissed a resident's claim his landlord failed to accommodate his disabilities by allowing him to pay rent late.

The resident had advanced congenital heart failure, high blood pressure and PTSD. He received social security disability benefits. Because the benefits came in after the due date of rent, the resident asked the landlord to allow him to pay his rent late each month as an accommodation of his disability. The landlord refused and the resident sued under federal and state fair housing laws.



The Judge dismissed the resident's lawsuit. The Judge held that the resident failed to articulate how the landlord's refusal specifically made the resident's enjoyment of his apartment different from someone who did not have the same medical condition. The Judge also stated that the resident did not directly address how his accommodation was "reasonable" or "necessary" under the Fair Housing Act – especially when it went against a lease the resident had previously signed.

**Important Note:** The payment of late rent is a common accommodation request and has generally been considered to be reasonable if a resident receives disability benefits as income. In this case, the resident was not represented by an attorney. We can only wonder if the results would have been different if an attorney was making the arguments to the court.



# HOUSING CROSSROADS

WHERE FAIR HOUSING AND  
LANDLORD TENANT LAWS INTERSECT

## Housing Crossroads Webinar

### Magic Words

*When a complaint is more than just a complaint.*

**Wednesday, June 25, 2025  
10:00 a.m. - 11:30 a.m. central**

As a landlord, you communicate with our residents constantly – it's a daily, fundamental part of property management. But all communications are not created equal. Sometimes – whether the resident knows it or not – these communications trigger legal remedies to which the resident may be entitled. In this webinar, we will help identify key words, phrases, and topics to watch out for and best practices to resolve those issues with limited exposure. We'll discuss landlord (and tenant) obligations regarding:

- Essential services
- The right to peaceful and quiet enjoyment
- Maintaining the premises
- Allegations of discrimination
- Requests for reasonable accommodations
- And much more

**\$34.99**  
**[Register Now](#)**



**Nathan Lybarger**  
Law Office of Hall &  
Associates

### Speakers



**Angelita Fisher**  
Law Office of Angelita E.  
Fisher

## Landlord Ordered to Pay Over \$2 Million for Minimum Income Policy

A New York landlord has been ordered to pay over \$2 million for a minimum income policy. The policy required that prospective renters earn a gross annual income of at least 43 times their total monthly rent. A non-profit group sued claiming the policy violated fair housing laws because it caused a disparate impact on renters who were disabled and those who received a Section 8 voucher.



The lower New York court held the policy violated fair housing laws. The landlord appealed. The U.S. Court of Appeals for the Second Circuit affirmed the lower court's decision and sent it back to the lower court to enter judgement. The lower court entered that judgment on April 24, 2025. It ordered the landlord to pay \$990,540, plus interest, to the non-profit group and \$1,500,687.88 in attorney fees and costs.

## Did You Know?

**An alcoholic is considered to be disabled - even if the individual is currently drinking.**



## Fair Housing Webinar Fair Housing Pitfalls When Terminating the Lease Agreement

Wednesday, May 14, 2025  
10:00 a.m. - 11:00 a.m. Central

All good things must come to an end - and so must a lease. How and why you terminate a resident's lease may land you in trouble with HUD. Terminating a lease may violate fair housing laws.

In this webinar, we will discuss a variety of reasons landlords terminate leases and what fair housing consequences you should consider. Our discussion will include:

- Non- Renewals
- Violence on Property
- Housekeeping
- Complaints from Neighbors
- Retaliation

**\$24.99**

**Register Now**



## PA Resident's Parking Sign Claim Dismissed

A Federal Judge in Pennsylvania has dismissed a resident's fair housing complaint after she alleged the sign used to designate her parking space was not the one she requested.

The resident requested a separate handicapped parking space because she was "legally disabled" and suffered from degenerative, chronic disc pain, scoliosis, and an anxiety disorder. The apartment complex provided her with an assigned parking space in front of her unit for her exclusive use. However, the resident wanted more. She wanted the blue handicapped sign in addition to the designation sign. The landlord denied her request and she sued.

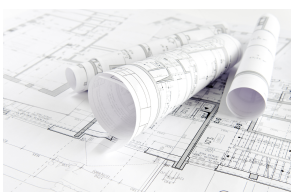
The Judge dismissed the lawsuit. The resident never provided evidence of a need for the blue sign on the spot – just a designated spot.



## Legislation Would Expand Tenants' Rights to Organize

Legislation has been introduced in the U.S. House of Representatives that would expand the rights of tenants to legally and collectively organize. House Bill 3049, also called The Tenants' Right to Organize Act, would give Housing Choice Voucher holders and residents in low-income housing tax credit properties the right to organize which, in the past, has been limited to federally funded properties like public housing tenants. The sponsors of this bill believe that granting these tenants the right to self-organize will empower individuals and communities to advocate for their needs, address housing issues, and build stronger, more inclusive neighborhoods.

## NY Owner and Developers Settle Design Case



The owners and developers of a 12-story New York apartment building with 185 units have agreed to settle a fair housing case alleging the design of the complex violated the fair housing design standards. The case was filed by the U.S. Department of Justice.

The lawsuit alleged the owner and developers failed to meet acceptable design standards due to:

- A high counter at the sign-in desk in the lobby;
- High thresholds at the entrance of the outdoor terrace;
- Mailboxes mounted too high to accommodate persons who use wheelchairs;
- Insufficiently wide doors to terraces from individual units;
- Insufficient clear floor space in bathrooms in individual units;
- Insufficiently wide maneuvering space in kitchens of individual units; and
- Inaccessible locations of environmental controls in individual units.

Under the settlement agreement, the owner will make the necessary renovations to meet the design standards and set up a fund to compensate individuals harmed by the designs. The fund will not exceed \$50,000. In addition, the developers will pay \$50,000 in civil penalties.