



Fair Housing Newsletter

Keeping you current on fair housing news and issues



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RealPage Lawsuit Grows

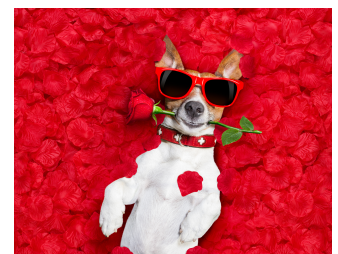
The U.S. Department of Justice lawsuit against RealPage just got bigger. The lawsuit, filed last summer, alleges RealPage Inc. and certain landlords using RealPage services, violated federal antitrust laws by using an unlawful scheme to decrease competition among landlords in apartment pricing.



At that time, lawsuit was joined by the Attorney Generals of North Carolina, California, Colorado, Connecticut, Minnesota, Oregon, Tennessee, and Washington. Now, two additional Attorney Generals have joined: one from Illinois and another from Massachusetts. Plus, the DOJ has amended the complaint to add six large landlords as Defendants. One of these landlords has already settled and has agreed to “cooperate with the government, stop using its competitors’ sensitive data to set rents and stop using the same algorithm as its competitors without a corporate monitor.”

It is unclear if President Trump’s executive order temporarily prohibiting the DOJ’s civil rights division from filing “any new complaints, motion to intervene, agreed-upon remands, amicus briefs, or statements of interest” will effect this case.

Note From the Editor: It is already February. Spring will be here before we turn around. The weather is changing and so is the Fair Housing climate. Keep updated on all the latest news by registering for the March Three-Part Fair Housing Webinar Series. See page 4 for more information.



HUD Reaches Settlement with Mortgage Co. to Refund Junk Fees

Borrowers with Federal Housing Administration (FHA) loans may be seeing a refund. The U.S. Department of Housing and Urban Development has reached a settlement with PHH Mortgage Corp. to resolve allegations that PHH unlawfully charged fees to borrowers when the borrower made a mortgage payment.

HUD alleged the borrow paid an unlawful fee when their payment was made: (1) over the phone through a representative; (2) by telephone through an interactive voice response telephone system; or (3) online, if the borrower was not enrolled in PHH’s paperless statement program. These required fees are sometimes referred to as “pay-to-pay” or “convenience” fees which HUD alleges violates the FHA requirements.

The settlement provides restitution to approximately 51,500 borrowers for 490,000 transactions between May 2021 and February 2023. HUD estimates the total amount of restitution to be approximately \$3,465,000. In addition, PHH will make an administrative payment of \$245,000 to HUD.



HUD Withdraws Proposed AFFH Rule



On January 16, 2025, the U.S. Department of Housing and Urban Development published a withdrawal of a proposed affirmatively furthering fair housing (AFFH) rule from February, 2023. The 2023 proposed rule would have required program participants to submit an equity plan to HUD every five years. Currently, HUD does not intend for a final rule to be issued and if there are further regulations on the topic, HUD will issue a new notice of proposed rulemaking.

Did You Know?

The Fair Housing Act protects not just disabled residents, but it also protects those who have a record or history of a disability?

DOJ Sues Iowa Landlord for Sexual Harassment

The U.S. Department of Justice announced it has filed a lawsuit against the owner and manager of an Iowa property for sexually harassing female tenants in violation of the Fair Housing Act.

The lawsuit alleges that since at least 2010, the manager subjected female tenants to unwelcome sexual contact, exposed his genitals to female tenants, made requests for sex in exchange for reduced rent or other housing benefits and evicted tenants when they did not give in to his sexual advances.

The lawsuit seeks monetary damages to compensate persons 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

Debunking Common Legal Myths

Wednesday, February 26, 2025
10:00 a.m. - 11:30 a.m. central

Now more than ever, misinformation abounds. Sometimes, that misinformation comes from unreliable sources, sometimes that misinformation was correct at one time, but has become obsolete. In any case, there are common legal myths that can cause landlords all kinds of trouble. In this webinar, we'll address some of these myths, such as:

- You cannot evict a tenant for an ESA's behavior
- You may non-renew a lease for no reason
- An arrest is proof of criminal activity
- You must grant every request for reasonable accommodation
- A written statement can be used as evidence in court
- And many more

\$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 12, 2025** **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 19, 2025** **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 **March 26, 2025** **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; Paying for the Accommodation/Modification; Getting the Paperwork Right; and Common Accommodations.



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

HUD Charges HOA with Race and Color Discrimination

The U.S. Department of Housing and Urban Development has announced it is charging a homeowners association with housing discrimination for enacting rules designed to effectively remove Black residents who use housing choice vouchers. HUD's Charge alleges that the HOA's actions were based on race and color. According to a press release, the Charge further alleges that the "HOA filed retaliatory legal action designed to intimidate residents' safety for exercising their fair housing rights and failed to act when heightened racial tensions left complainants fearing for their safety."



A United States Administrative Law Judge will hear HUD's Charge unless any party to the Charge elects to have the case heard in federal district court or the matter is settled.



Fair Housing Webinar

Drafting Documents that Comply with Fair Housing Laws

Wednesday, February 12, 2025
10:00 a.m. - 11:00 a.m. Central

\$24.99

Every communication has the potential of violating fair housing laws. Whether it is a policy, email, notice, or text – managers must keep fair housing laws in mind. Poorly written documents can be used as proof of discrimination. In this webinar, we will discuss some of the common fair housing mistakes property staff make when drafting documents by showing examples of good and bad documents. Our discussion will include:

- Policies
- Interoffice emails
- Notices
- Emails and Text Messages to Residents
- Note Taking for the File

\$24.99
[Register Now](#)