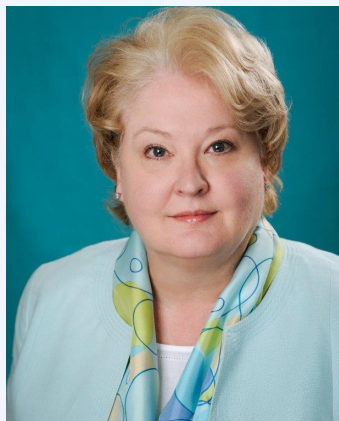




Fair Housing Newsletter

Keeping you current on fair housing news and issues



 LAW OFFICE OF
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HUD Publishes New Pilot Study

The U.S. Department of Housing and Urban Development has published a pilot study showing that persons with mental illnesses, intellectual or other disabilities, face housing discrimination in the rental market.

The study was conducted by using email testing in nine small and mid-sized urban rental markets and in-person testing in two large rental markets, Chicago and Washington, D.C. Testing was divided equally between mental illness and intellectual developmental disabilities.

The study revealed that individuals with mental disabilities were:

- Less likely to receive a response to their inquiry in email testing: 17.55% without a disability receive a response compared to 9.19% of the disabled testers;
- Less likely to be told an advertised unit was available during in-person testing - 5.94 % without a disability were told the advertised unit was available compared to 0.99% of the disabled testers;
- Less likely to be invited to contact the housing provider – 7.69% of people without a disability were invited compared to 0.00% of people with a disability;
- Less likely to be invited to inspect the available unit during telephone testing – 21.26% of people without a disability were invited compared to 16.47% of people with a disability; and

Study: Continued on Page 2

Note from the Editor: Fall has arrived and soon the year will be over. Be sure to get next year's fair housing training on the calendar early. If I can help - just let me know.



In the News

Pamela Hughes Patenaude Sworn in as HUD Deputy Secretary

The new HUD Deputy Secretary, Pamela Hughes Patenaude, was sworn in on September 26, by Vice President Mike Pence. Secretary Patenaude will be HUD's second ranking official and will play a leadership role in coordinating the long-term recovery efforts following Hurricanes Harvey, Irma, and Maria. Secretary Patenaude formerly served as HUD's Assistant Secretary for Community Planning and Development during the George W. Bush administration.

Ohio City Says Sober Homes Have to Go

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The Youngstown, Ohio Board of Zoning Appeals has declined reasonable accommodation requests by two sober homes in the city. The area is zoned single family. The city claims the sober homes violate zoning codes because multiple people live in the homes – all of them unrelated. Arguments that the homes fall under the Fair Housing Act and an accommodation should be granted which would allow the homes failed. The board denied the reasonable accommodation requests

5-1

Indiana Housing Authority Will Pay \$70,000 to Settle Fair Housing Lawsuit

The Housing Authority of the City of Anderson, Indiana has agreed to pay \$70,000 to settle a lawsuit brought by the U.S. Department of Justice alleging it discriminated against residents based on sex and disability. The allegations include sexual harassment of female residents as well as denials of reasonable accommodations. The denied accommodations included requests to move to first-floor units and requests for designated parking spaces.



The settlement will compensate seven victims of discrimination. The Housing Authority will also be required to implement nondiscriminatory policies and procedures, provide fair housing training to employees, refrain from engaging in any prohibited conduct in the future, and make periodic reports to the DOJ confirming compliance.

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Study: Continued from Page 1

- Less likely to be encouraged to look at a different unit than the one advertised during telephone testing.

The study was the first multi-city housing discrimination study to utilize people with mental disabilities as testers. The information obtained in the study will be used to assist HUD in removing barriers for those who face housing discrimination.



HOUSING CROSSROADS

WHERE FAIR HOUSING AND
LANDLORD TENANT LAWS INTERSECT

Housing Crossroads Webinar The Top 10 Ways to Lose Your Lawsuit

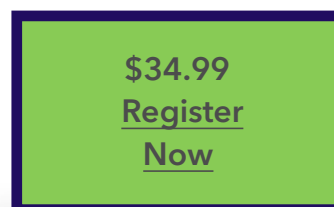
October 25, 2017

10:00 a.m. - 11:30 a.m. Central

No one wants to lose a case in court. It is expensive, it is time-consuming and it is down-right embarrassing. Yet landlords continue to make the same mistakes over and over. These mistakes make a difference when you get to court.

In this webinar, we will discuss the top ten reasons landlords lose their case when they get to court. Our discussion will include:

1. Enforcing the Pet Policy Against an Emotional Support Animal
2. Taking Rent
3. Not Responding to Resident Complaints
4. Failing to Bring Proof
5. Making Inappropriate Comments about Residents
6. Detrimental Emails & Text Messages
7. Having a No-Felony Policy
8. Improper Courtroom Decorum
9. Failing to Discuss Accommodation Issues with a Resident
10. Plain Bad Luck



M. Wesley Hall, III
Hall & Associates



Nathan Lybarger
Hall & Associates



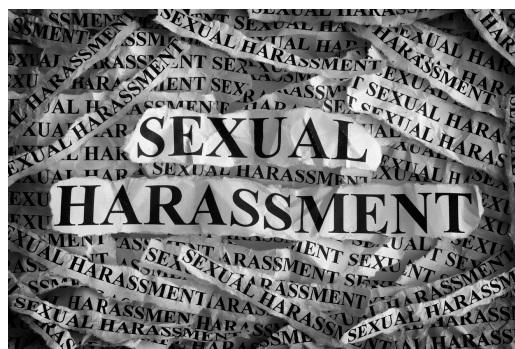
Angelita Fisher
Law Office of AEF

Sexual Harassment Cases Settles for \$365,000

The U.S. Department of Justice has settled a fair housing case against the Kansas City Housing Authority. The case resolved a lawsuit filed in 2015 alleging three former housing authority employees sexually harassed multiple women.

The case began when two female residents filed HUD complaints alleging sexual harassment. The women alleged Housing Authority employees asked female residents sexual questions, showed them pornographic pictures and videos, made explicit sexual comments and one even exposed himself to the women. The Administrative Coordinator admitted during the case that he had exposed himself to multiple women during his employment.

As part of HUD's investigation, they discovered other women who were also subjected to sexual harassment. In all, fourteen current and former residents and applicants will receive \$360,000 in monetary damages. In addition, the Housing Authority will be required to pay a \$5,000 civil penalty.



Fair Housing Webinar Best Practices for Avoiding Retaliation Claims

\$24.99

**Tuesday, October 11, 2017
10:00 a.m. - 11:00 a.m. Central**

Although retaliation is not a listed protected class under fair housing laws, many fair housing complaints include a retaliation claim. Landlords can be liable for retaliating against a resident the same as if they discriminated against the resident. In this webinar, we will discuss some best practices landlords can use to avoid retaliation claims. Our discussion will include:

- Recognizing Protected Activity
- Steering Clear of Risky Adverse Actions
- Proving Legitimate Reasons for Actions
- Managing the Tenant Going Forward
- And much, much more.

[Register
Now](#)

Mississippi Real Estate Group Settles Race Discrimination Case

A Jackson, Mississippi Real Estate Group has agreed to pay \$46,000 to settle a claim it steered white clients to white neighborhoods. The case was initiated by the National Fair Housing Alliance after it conducted testing in Jackson – reportedly the third most segregated city in the nation.

The testing revealed the real estate group discouraged white clients from purchasing homes in predominately black neighborhoods. In turn, the black clients were often not given a call back after leaving messages about purchasing a specific home.

As part of the settlement, the real estate group will pay \$46,000, participate in fair housing training, and display fair housing signs in its offices

Did You Know?

The most common fair housing complaint is based on disability.

HUD Awards \$2.1 Million to Help Public Housing Residents be More Self-Sufficient

Public housing authorities and non-profit organizations across the nation have received more than \$2 million in grants to assist public housing residents to become self-sufficient. These funds will be used to hire or retain service coordinators to help residents find jobs and educational opportunities. The coordinators will work directly with residents to assess their needs, connect them with education, job training, and placement programs, and/or computer and financial literacy services available in their community.

The funding is provided through HUD's Resident Opportunities and Self Sufficiency – Service Coordinators Program. Close to home, the Housing Authority of Meridian in Meridian, Mississippi received \$439,816 and the Newport Housing Authority in Newport, Tennessee received \$74,273. For additional information on other organizations which received funds, go to HUD's website at: www.hud.gov

HUD Awards \$4.2 Million in Research Grants

The U.S. Department of Housing and Urban Development has awarded \$4.2 million to eight universities and public health organizations to develop new methods to identify and control residential health hazards. The health hazards include, lead-based paint, mold, radon, and pest infestations. These grants will help protect children, seniors, and people with chronic illnesses such as asthma from exposure to these hazards. For more information on who will receive the grants, you can visit HUD's website at: www.hud.gov

Did You Know?

A resident may file a HUD fair housing complaint up to two years after they alleged discrimination.

Landlords Pay \$95,000 to Settle Fair Housing Claim They Had Adult-Only Apartments

The owners and manager of three Edmonds, Washington apartment buildings have agreed to pay \$95,000 to settle a lawsuit filed by the U.S. Department of Justice claiming they discriminated against families with children.

The case began when the property manager allegedly told an applicant with a one-year old that the apartment buildings were "adult only." Additionally, the apartments were advertised as "adult buildings." The family filed a complaint with the U.S. Department of Housing and Urban Development.

Under the settlement agreement, the landlords will pay: \$35,000 to the family that was turned away because of having a child; \$35,000 to compensate other families that were harmed by the practices; and \$25,000 to the U.S. as a civil penalty. The properties will also be required to adopt non-discriminatory policies and practices that ensure compliance with fair housing laws and submit to record keeping and monitoring for a three-year period