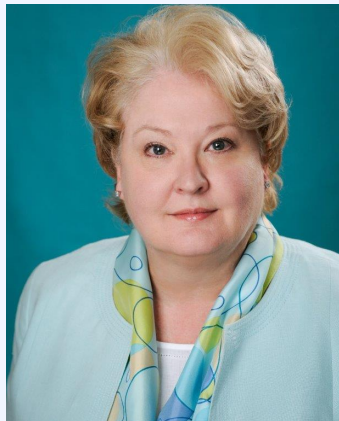




Fair Housing Newsletter

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 15 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

www.angelitafisherlaw.com

Indianapolis Rent-to-Own Companies Sued

The Fair Housing Center of Central Indiana has filed a federal class action lawsuit against a group of companies and one individual. The lawsuit alleges the group violated the Fair Housing Act, the federal Equal Credit Opportunity Act, the Truth in Lending Act, and Indiana landlord tenant laws. The lawsuit involves almost 1,000 homes in predominantly minority neighborhoods.

The Fair Housing Center alleges the landlords structured their rent-to-own scheme to saddle minority consumers with all of the disadvantages of renting and all of the disadvantages of buying. The landlords allegedly rented homes in bad condition and many of the problems could not be detected by prospective customers prior to signing the contracts. The landlords allegedly inflated the sales prices by up to 500% and charge exorbitant interest rates and late fees. Once in the house, the landlords offered the residents shoddy overpriced repairs, the costs of which were added to the monthly payments. This increased the likelihood the owners would fail to make their payments.

The Fair Housing Center argues that because the scheme was targeted towards mostly minority neighborhoods, the landlords violated the Fair Housing Act. For more information about the lawsuit, go to the Fair Housing Center of Central Indiana's website.



Note from the Editor: If you are interested in a particular subject relating to fair housing and would like to have it discussed in a webinar - please let me know. I am always looking for interesting topics.



In the News

\$127 Million in Grants

The U.S. Department of Housing and Urban Development has awarded more than \$127 million to 48 state and local government agencies to fund the elimination of dangerous lead paint and other housing-related health hazards in thousands of privately-owned, low-income housing units. The funding is meant to reduce the number of children with elevated blood lead levels and protect nearly 7,600 families living in homes with significant lead and other home health and safety standards.

The City of Chattanooga, TN will receive \$1,650,000. Louisville/Jefferson County, KY, will receive \$2,899,990. The City of Brockton, KY and the City of Malden, Ky, will each receive \$1,367,085. For more information on whether a local government near you is receiving funds, go to HUD's website at: www.hud.gov.

HUD Calls for Action to Reduce Injuries to Seniors

The U.S. Department of Housing and Urban Development has issued a report calling for a more holistic approach to Seniors aging-in-place and their health needs. The report is titled, *Overcoming Obstacles to Policies for Preventing Falls by the Elderly*. It contains a toolkit highlighting numerous funding sources and the rationale for outreach to non-traditional partners to improve delivery of services and care to seniors. The toolkit covers four key areas:

1. Why Senior fall prevention and coordinated care is an important issue for the nation and what some communities are doing to meet the needs of Seniors;
2. What partners and stakeholders should be engaged, what each can offer to this effort, and why a holistic approach may provide the best potential;
3. What financial resources, from all levels of government, may be available to help create and sustain effective policies and programs; and
4. How to sustain policies and programs over the long-term.

The report can be found on HUD's website at: www.hud.gov

The Cost of Losing

A California jury awarded a resident \$55,320 for a hostile environment created by her landlord. The same jury found the landlord had not engaged in *quid pro quo* harassment against the same resident. So who is the prevailing party? According to a California judge, the resident prevailed. This means the resident gets attorney fees and costs. The landlord was required to pay not only the \$55,320 jury verdict, but also \$161,253.50 for the resident's attorney fees and \$9,445.35 in costs...a high price to pay for harassment.





HOUSING CROSSROADS

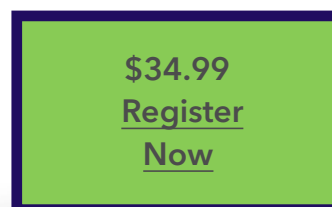
WHERE FAIR HOUSING AND
LANDLORD TENANT LAWS INTERSECT

Housing Crossroads Webinar Navigating the Application Process

Wednesday, July 27, 2017
10:00 a.m. - 11:30 a.m. Central

The landlord / tenant relationship starts with the application. The application process sets the stage for your future relationship. Get it right and you can have a long happy relationship. Get it wrong and you may regret it immediately after signing the lease. In this webinar, we will discuss best practices for navigating the application process as well as update attendees on the current legal landscape of using selection criteria. Our discussion will include:

- Deciding Which Questions to Ask and Which to Avoid
- Managing When a Previous Tenant Re-Appplies
- Using Relevant Criteria
- Criminal Background Checks
- And much, much, more
- Please Join Us!



M. Wesley Hall, III
Hall & Associates



Nathan Lybarger
Hall & Associates



Angelita Fisher
Law Office of AEF

Pet Deposits Cost \$20,500

The Owner and Manager of four Reno, Nevada apartment complexes have agreed to settle a claim with the U.S. Department of Housing and Urban Development. The case began when the Silver State Fair Housing Council filed four complaints with HUD alleging fair housing violations. Specifically, the Fair Housing Council alleged the Owner and Manager charged residents with emotional support animals a pet deposit. Under the settlement agreement, the Owner and Manager will pay \$20,500 to the Fair Housing Council and adopt written policies consistent with the Fair Housing Act. The Owner and Manager will also provide fair housing training to employees who interact with residents



Fair Housing Webinar Disparate Impact Update

Wednesday, July 12, 2017
10:00 a.m. - 11:00 a.m. Central

\$24.99

In June, 2015, the Supreme Court held landlords could be sued for unintentional discrimination by using a fair housing disparate impact theory. For landlords, this means they may be in violation of fair housing laws by having a neutral policy that when applied, causes one or more protected classes to be disparately impacted. Since 2015, HUD and state human rights agencies have been using this theory to restrict a landlord's selection criteria and property rules. In this webinar, we will discuss the latest cases being filed using the disparate impact theory as well as possible issues on the horizon. We will discuss theories and cases involving:

- The Use of Criminal Convictions
- Occupancy Standards
- Domestic Violence
- Source of Income
- Possible Issues on the Horizon

[Register
Now](#)

Watch for more upcoming webinars at www.angelitafisherlaw.com

No Harm in Omitting HUD Disability Language

A Mississippi federal court has dismissed a resident's claim he was discriminated against in violation of fair housing laws. The resident claimed disability discrimination based on the fact the housing authority deleted disability language from its lease. The deleted language related to reasonable accommodations for persons with disabilities.

The housing authority admitted it deleted the language but presented evidence that the same language was in other paperwork given to the resident. Therefore, the lease language was repetitive and unnecessary.

The court agreed with the housing authority. The language did not necessarily have to be in the lease as long as the language was provided to the residents. Moreover, the disability accommodation language was deleted from all leases – not just the disabled resident's lease. He was not treated differently than non-disabled residents.



In 2016, over 58% of the fair housing complaints filed at HUD and state agencies were based on disability.

Florida City Settles Fair Housing Lawsuit

The City of Jacksonville, Florida has agreed to settle a case resolving allegations it violated fair housing laws when it refused to allow supportive housing for individuals with disabilities. This case was filed by the U.S. Department of Justice claiming the City would not allow development of supportive housing for the chronically homeless who have at least one disability. This lawsuit was combined with a similar lawsuit by two non-profits: Ability Housing, Inc. and Disability Rights of Florida.

According the complaint, Ability Housing and Disability Rights Florida received a \$1.35 grant from the state of Florida to revitalize a 12-unit apartment building for the disabled homeless. The City originally certified that the housing would be consistent with the City's zoning. However, after intense community pressure, the City reversed its decision and decided the housing would violate zoning.

As part of the settlement, the City will amend its zoning code to better comply with anti-discrimination laws and implement a reasonable accommodation policy. The City also agreed to pay a civil penalty of \$25,000. In a separate settlement, the City agreed to pay \$400,000 to Ability Housing and \$25,000 to Disability Rights of Florida and establish a \$1.5 million grant to develop permanent supportive housing in the City for people with disabilities

