



Fair Housing Newsletter

Keeping you current on fair housing news and issues



 LAW OFFICE OF
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Sexual Harassment Lawsuit Settled for \$1.25 Million

The U.S. Department of Justice has agreed to settle a sexual harassment lawsuit it filed against an Oklahoma landlord and owner. The lawsuit alleged the landlord's harassment spanned a period of almost 20 years and included at least 40 women. The harassment allegedly included:

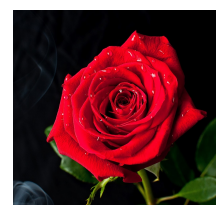
- demanding prospective tenants engage in sexual acts to obtain housing;
- offering to reduce rent and overlooking unpaid rent in exchange for sexual intercourse or contact;
- evicting and threatening to evict female tenants for refusing sexual advances;
- groping and grabbing female tenants' breasts, buttocks, and genitals;
- making unwelcome sexual advances and comments; and
- entering the homes of female tenants unannounced and without their consent.



Under the terms of the consent order, the landlord will pay \$1.2 million in damages to female tenants and prospective tenants harmed by the harassment and a \$50,000 civil penalty to the United States.

The landlord will also be required to provide Fair Housing Act training for employees.

Note From the Editor: Fall arrives this month and the year is almost over. If you have been waiting to get your employees trained, now is the time. I provide several options for fair housing training. Just give a call to discuss.



DOJ Files Sexual Harassment Lawsuit Against Sober Home Operator

The U.S. Department of Justice, along with the U.S. Attorney's Office, has filed a lawsuit alleging the operator of sober homes for women and men in Massachusetts sexually harassed female residents. The lawsuit alleges from at least 2012 through at least 2019, the sole officer of Steps to Solutions Inc. sexually harassed female residents of his sober homes by:

- offering to reduce or forgive rent;
- granting extra house privileges or waiving security deposits in exchange for engaging in sexual acts;
- requesting sexually explicit photographs and indicating that he would reduce or waive rent in exchange for the images;
- making unwanted sexual comments regarding female residents' bodies; and
- retaliating and taking adverse housing actions against residents who reported his conduct.



The lawsuit asks the court to award monetary damages to each person who was harassed and penalize the landlord by imposing a civil penalty.

Source of Income Lawsuit Filed



A New York non-profit fair housing agency has filed a housing discrimination complaint against a management company and owners of at least 36 apartment buildings in New York, Massachusetts and Connecticut. The complaint, alleges housing discrimination on the basis of lawful source of income toward individuals using housing vouchers or other rental subsidies and is the result of a multi-year testing investigation.

During the investigation, testers were told:

- The property did not accept any rental vouchers or participate in any "programs";
- The property did accept vouchers but only if the applicant met a minimum income requirement of three times the total rent;
- The income requirement was based on the full amount of rent, even though a voucher would pay part of the rent;
- The property will not sign contracts with third parties to pay the rent, including rental subsidy programs; and
- Applicants were steered to other apartment complexes.

These responses allegedly violated New York's source of income protections, and excluded households relying on housing vouchers from housing opportunities that should be available to them. Source of income discrimination has been illegal in New York State since April, 2019.



HOUSING CROSSROADS

WHERE FAIR HOUSING AND
LANDLORD TENANT LAWS INTERSECT

Housing Crossroads Webinar

“Get it in writing.”

The Do’s and Don’ts of the Documentation Process for Landlords.

**Wednesday, September 29, 2021
10:00 a.m. - 11:30 a.m. central**

There’s a reason we’ve all heard the phrase “get it in writing.” Whether you’re making your case for eviction in General Sessions Court, or defending a discrimination accusation in Federal Court, documentation is the most fundamental way to make or break your case. It’s tedious, it’s mundane, it interrupts your real job, but when you need it most, you’ll be thankful it’s there – unless you have made a major mistake in the documentation process.

In this webinar, we’ll discuss the most common mistakes in documentation and where accurate and precise documentation can win or lose your day in court. Our discussion will include:

- The lease and addenda
- Notices and communication with residents
- Housekeeping issues and physical damage
- Written complaints and witness statements
- Incident Reports
- Internal Notes

\$34.99
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Nathan Lybarger
Law Office of Hall &
Associates

Speakers



Angelita Fisher
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Improper Design and Construction Costs \$105,000 plus Retrofits

Among other protections, the Fair Housing Act requires multifamily housing constructed after March 13, 1991, to have basic physical accessibility features, including, among other things, accessible routes without steps to all single-story, ground-floor units. Additionally, the Americans with Disabilities Act protects individuals with disabilities from discrimination in public accommodations, including the rental offices at multifamily housing complexes.

Failure to follow the rules recently cost several companies a lot of money to settle a lawsuit alleging they violated the Fair Housing Act and the ADA. The lawsuit, filed by the U.S. Department of Justice, alleged the Hampton Corporation Inc. and several related individuals and entities failed to design and construct apartment complexes and a rental office in North Dakota so they are accessible to people with disabilities.

Under the terms of the settlement, the entities and individuals must correct inaccessible features, including:

- removing steps;
- replacing steeply-sloped walkways;
- adding accessible routes to mailboxes and site arrival points;
- ensuring that obstacles do not protrude into the circulation path;
- installing lever handles on doors;
- widening doorways;
- retrofitting bathrooms so they are accessible for wheelchair users; and
- relocating outlets and controls to within a wheelchair user's reach range.



The entities and individuals must also contribute \$100,000 to a settlement fund for people who suffered harm due to the lack of accessible features at the properties, undergo fair housing training, and pay a civil penalty of \$5,000.

The Department of Justice previously resolved claims against the architect and engineer involved in the design of one of the four apartment complexes at issue in the lawsuit. That case cost the architect and engineer \$20,000.

CA Landlords Pay \$105,000 to Settle Sexual Harassment Case

The Justice Department has reached an agreement to resolve a lawsuit alleging an apartment Property Manager in Los Angeles, violated the federal Fair Housing Act by sexually harassing female tenants since 2006.

The DOJ's lawsuit, filed in 2020, alleged that the Property Manager subjected female tenants to harassment that included unwanted sexual touching, sexual assault, frequent unwelcome sexual advances and comments, offers to reduce rent or excuse late or unpaid rent in exchange for sex and unannounced visits to the homes of female tenants without their consent to make sexual advances.

As part of the settlement, the landlords, which includes the Manager, property management company and owners, will be required to pay a total of \$105,000, including \$100,000 in monetary damages to women who were harmed and a \$5,000 civil penalty. The Property Manager is also barred from participating in the rental or management of residential properties in the future. He must vacate the premises and leave his job as on-site Property Manager.

Kentucky Landlords Pay \$50k to Settle Harassment Lawsuit

A Kentucky Property Manager and his wife, who is also the property owner, have agreed to pay \$50,000 to settle a lawsuit filed by the U.S. Justice Department alleging the Manager sexually harassed female tenants.

The lawsuit alleged the Manager's harassment spanned a period of 10 years and included unwelcome sexual touching, offers of reduce monthly rental payments in exchange for sex, unwelcome sexual comments and unannounced visits to female tenants' homes. It also alleged the Manager threatened to evict female tenants who objected to or refused his sexual advances.

Under the consent order entered by the U.S. District Court for the Eastern District of Kentucky, the Manager and his wife must pay \$48,000 in damages to four female tenants allegedly harmed by the harassment and a \$2,000 civil penalty to the United States. The Manager and his wife are also prohibited from being involved in property management of rental units in the future.



Fair Housing Webinar

"It's the Rule!"

*Navigating Fair Housing Laws
when Enforcing Property Rules*

Wednesday, October 13, 2021
10:00 a.m. - 11:00 a.m. Central

\$24.99

Every property has a set of rules. Without rules, the property would be chaos; No pets in the pool area; No children in the workout rooms; No bikes in the breezeway. But, implementing these rules can be a fair housing nightmare. In this webinar, we will discuss common property rules and the fair housing laws that arise when enforcing the rules. We will discuss:

- * Pet / Animal Rules
- * Children Supervision Rules
- * Housekeeping Rules
- * Pool Rules
- * Workout Room Rules
- * And much, much, more

\$24.99
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