



# Fair Housing Newsletter

*Keeping you current on fair housing news and issues*



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## States Sue Over Rollbacks

The Attorney Generals of fifteen states and the District of Columbia have filed a lawsuit against the Department of Housing and Urban Development in an effort to block the agency's roll back of fair housing rules that bar certain types of discrimination by landlords, including discrimination against LGBTQ+ people.

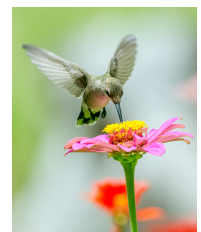
The lawsuit is based on HUD guidance issued in September, 2025, which threatens to decertify state housing agencies — stripping their federal funding and ability to investigate discrimination claims — if they provide anti-discrimination protections other than those spelled out in the Fair Housing Act. The guidance also bars state agencies from using federal funds to “promote gender ideology,” “fund or promote elective abortions” or promote illegal immigration, according to the lawsuit. Since California and other states



protect gender identity under state law, their funding is being threatened. About \$3 million in federal funding is currently at stake for California alone, with millions more at stake in other states.

The states lawsuit alleges that HUD's new guidance violates multiple federal laws, including laws that govern federal spending and rule changes, and are asking the federal court to immediately invalidate the guidance as unlawful.

Note From the Editor: April is Fair Housing Month. There is no better time for your employees to get their 2026 fair housing training. We are offering three-hours of fair housing webinar training this month. Check out the details on page 4.



## New York Nonprofit Files Two Design Lawsuits

The Fair Housing Justice Center (FHJC) has filed two disability discrimination lawsuits alleging two different owners and management companies constructed inaccessible New York apartment complexes. The lawsuits were filed after the FHJC conducted investigations using testers.

The first lawsuit is against three newly constructed NYC luxury apartment buildings. It claims that FHJC testers who visited the buildings discovered fair housing violations including:

- kitchens and doorways that are too narrow;
- doorway thresholds that are raised too high; and
- light switches, outlets, thermostats, mailboxes, and laundry machines that are too high to reach.

The second lawsuit alleges two Brooklyn complexes were improperly constructed. The design issues in this case include:

- an inaccessible roof deck with no railings provided for safety or support;
- inaccessible entrances to laundry rooms, co-working spaces, courtyards, and screening rooms;
- terrace doors, bedroom doors, and bathroom doors that are too narrow;
- bathrooms with insufficient maneuverable space;
- mailboxes that are too high;
- inaccessible garbage chutes; and
- building entrance doors that require excessive force to open.



The FHJC alleges these design issues render the units and common areas inaccessible to individuals with disabilities in violation of the federal Fair Housing Act, the New York State Human Rights Law, and the New York City Human Rights Law.

The lawsuits seek monetary damages, injunctive relief, retrofits to correct the inaccessible features, fair housing training, and other remedial action to ensure future compliance with fair housing accessibility requirements.

## Did You Know?

*Fair Housing month celebrates the signing of the Fair Housing Act in 1968.*

## Sexual Harassment Case Settles for \$50K

A Wisconsin landlord has agreed to pay \$50,000 to settle a lawsuit filed by the U.S. Department of Justice claiming he sexually harassed a female tenant in violation of the Fair Housing Act. The lawsuit, filed in July, 2025, alleged the landlord made unwelcome sexual comments, grabbed the tenant without her consent, entered the tenant's home without her permission, and moved to evict her when she asserted her rights under the Fair Housing Act.



Under the settlement agreement, the landlord must pay \$50,000 to the tenant and attend fair housing training. The DOJ will monitor the landlord for two years.

## Applicant Screening Case Settled



The Equal Rights Center and a D.C. Management Company have settled a lawsuit alleging the Management Company used an unfair screening process in violation of the D.C. Consumer Protection Procedures Act, D.C. Human Rights Act, D.C. Fair Criminal Record Screenings for Housing Act of 2016, D.C. Rental Housing Act, and D.C. Security Deposit Act.

Under the settlement agreement, the Management Company has agreed it will not apply minimum income and credit score requirements to applicants with a housing voucher or other income-based housing subsidy, and will not consider eviction filings three or more years old or criminal records more than seven years old, in accordance with D.C. law. The Management Company will also pay \$220,000, including the cost of training and attorneys' fees to resolve the case.

## ESA Policy Checklist

Do you have an emotional support animal policy? Remember, you may not enforce the pet policy on ESAs. They are not pets. If not, now is the time for a policy. Here are a few things to mention:

- The animal must have a license if a license is necessary in your city;
- The resident must pick up after the animal;
- The resident is responsible for any damage caused by the animal;
- The animal must be kept current on vaccinations;
- Animals need to be on a leash and under control when on the property; and
- The animal cannot disturb the quiet enjoyment of other residents.

Plus, don't ever enforce company policy on:

- Weight restrictions
- Breed restrictions
- Pet rent
- Pet deposits / fees
- Requirement of insurance
- Restrictions on the number of animals if they are ESAs



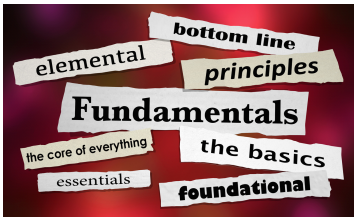
## HUD Investigating Washington State Commission

The Department of Housing and Urban Development has launched an investigation into the Washington State Housing Finance Commission's Covenant Homeownership Program, which HUD believes may violate the Fair Housing Act.

The Covenant Homeownership Program offers down-payment and closing cost assistance for first-time homebuyers through a zero-interest, secondary loan on a home mortgage. Low-income borrowers qualify for complete loan forgiveness after owning the house for just five years. To qualify for the program, applicants must have a parent or grandparent of Black, Hispanic, Native American, Pacific Islander, or Indian descent. Persons of European, Japanese, Arab, or Jewish ancestry do not appear to qualify.

HUD's position is that all Americans, not just those of color, are protected by fair housing laws.

## 2026 Three-Part Webinar Series



### Part One

Tuesday, April 14, 2026, 10:00 a.m. - 11:00 a.m. central  
**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; HUD Updates; Two Types of Discrimination; Two Types of Harassment; The Complaint Process; and Retaliation.



### Part Two

Wednesday, April 15, 2026, 10:00 a.m. - 11:00 a.m. central  
**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

Thursday, April 16, 2026, 10:00 a.m. - 11:00 a.m. central  
**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.

[Register for All Three Webinars](#)

**\$ 64.99**