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GENERAL NEWS

HUD Announces Racial Equity Agreement with MO Housing Provider

In a [press release](#) last Thursday, the Department of Housing and Urban Development ([HUD](#)) announced that it has entered a [voluntary compliance agreement](#) with two apartments buildings in St. Louis, Missouri, resolving a compliance review concerning nondiscrimination in marketing and tenancing procedures. The property, which consist of 273 units, provides affordable subsidized housing through the Section 8 program for families with a member who is 62 or older or has a disability.

According to the announcement, the agreement arises from a compliance review that was conducted by HUD’s Office of Fair Housing and Equal Opportunity ([FHEO](#)) under Title VI of the Civil Rights Act of 1964. FHEO opened the review based on information indicating disproportionately low participation rates of Black residents relative to the housing market. The review sought to ensure eligible persons were not discriminated against in opportunities to learn about, apply to, and reside in HUD subsidized housing on the basis of race, color, or national origin. In particular, the review revealed disparities in the property’s tenant screening practices related to credit history and criminal records, which disproportionately impacted Black applicants.

The [Fair Housing Act](#) prohibits discrimination in housing on the basis of race, color, religion, sex, familial status, national origin, and disability. In addition, Title VI of the Civil Rights Act of 1964 prohibits discrimination on the ground of race, color, or national origin in programs or activities that receive federal funds.

The agreement mandates a fund in the amount of \$156,000 to compensate individuals who were denied due to credit history or criminal records during the review period. In addition, the agreement requires the creation of a new waitlist after robust marketing to those least likely to apply, committing a minimum of \$10,000 towards advertising, outreach, and website development, revising all policies that include an evaluation of credit or rental history consistent with civil rights laws and HUD’s guidance, and waiving move-in fees for formerly denied applicants who reapply and are admitted. As the announcement states, the agreement does not constitute admissions by the housing providers or evidence of a final determination by HUD of violations of Title VI or any other laws.

HUD Charges Colorado Landlord with Harassment and Retaliation

In another [press release](#) last Thursday, HUD announced that it has [charged](#) the owner of a house in Greeley, Colorado, with discrimination for subjecting a female tenant to harassment and retaliation because of sex.

The [Fair Housing Act](#) prohibits housing providers from discriminating because of sex, including harassing tenants. Sexual harassment includes unwelcome sexual advances and comments, requests for sexual favors, and other verbal or physical behavior that is sexual in nature. Harassment because of sex can also include conduct that is not necessarily sexual, such as offensive conduct or remarks pertaining to a tenant’s actual or perceived sex.

As stated in the press release, HUD’s charge alleges that the owner harassed the tenant because of her sex. The owner’s harassing conduct allegedly included frequent unwelcome invitations to meals, trips, and other activities; sexual and/or gendered insinuations, comments, and gestures; derogatory and demeaning comments; and peering into the tenant’s windows from outside the property. According to the charge, after the tenant told the owner that his conduct was unwelcome and constituted sexual harassment, she pursued a protection order against him and reported the harassment to the local police. The owner then retaliated against the tenant and sought to evict her. The charge further alleges that because of the owner’s illegal actions, the tenant was forced to vacate her home.

HUD’s charge will be heard by a United States administrative law judge unless any party elects to have the case heard in federal district court. If the administrative law judge finds after a hearing that discrimination has occurred, the judge may award damages to the tenant for losses caused by the discrimination. The judge may also order injunctive relief and other equitable relief, to deter further discrimination, as well as payment of attorney fees. In addition, the judge may impose civil penalties to vindicate the public interest. If the case is heard in federal court, the judge may also award punitive damages to the complainant.



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