



# FAIR HOUSING

YOUR MONTHLY UPDATE TO HOUSING NEWS, INFORMATION AND EVENTS.

September 2019

## Recent HUD Enforcement Actions

The following description of cases are adapted from Press Releases prepared by the Department of Housing and Urban Development (HUD). All HUD press releases can be found by [clicking here](#).

**COLORADO** - HUD has charged the owners and manager of a condominium complex in Gunnison, CO, with refusing to rent to persons under 35 years of age in violation of the Fair Housing Act, which prohibits discrimination based on familial status. The charge further alleges that the condominium management team refused to rent a unit to a fair housing tester who claimed to have a four-year-old child.

Read the charge [here](#).

The case arose when the owners

posted ads in a local newspaper describing the complex as a "private, restricted adult ... community" where renters must be 35 years or older.

"It's difficult enough for families to find suitable housing without having their options further limited because they have children," said Anna María Farías, HUD's Assistant Secretary for Fair Housing and Equal Opportunity. "Today's action reinforces HUD's commitment to taking appropriate action against housing providers that engage in unlawful practices."

**GEORGIA** – Another familial status case was filed against the owners of an apartment building in Richmond Hill, GA,

for refusing to rent to, imposing different rental terms and conditions on, and making discriminatory statements about families with children.

Read the charge [here](#).

The Savannah-Chatham County Fair Housing Council and the mother of two minor children filed complaints alleging that the owners employed a policy limiting the number of children that could reside in their apartments. HUD's charge alleges that the business voicemail recording announced the policy to persons who phoned looking for housing. The policy allows only one child in a two-bedroom unit and two children in a three-bedroom unit.

(More enforcement actions on page 2)



## Recent HUD Enforcement Actions (continued)

**IDAHO** – The owners and managers of a single-family rental home in Nampa, ID, will pay \$15,000 pursuant to a Consent Order resolving allegations that they violated the Fair Housing Act by refusing to rent the large home to a married couple because they have more than four children.

The Consent Order resolves a charge that HUD filed in May 2019, alleging that the homeowners discriminated against a family attempting to lease their 2,600 square foot, four-bedroom rental home because they have seven minor children. Specifically, HUD's charge alleges when the couple met with the property manager about renting the home, he told them that the owners had set a limit of four children for the home. The charge also alleges a policy restricting the number of children was written in the rental contract.

Read the Consent Order [here](#).

### **VIRGINIA/CALIFORNIA** – A Conciliation

Agreement was reached between Housing Rights Center (HRC), a fair housing advocacy organization in Los Angeles, and Arlington, VA-based AvalonBay Communities, Inc., resolving allegations that the real estate investment trust employed rental practices that discriminated against applicants based on their race.

Read the Conciliation Agreement [here](#).

Under the Conciliation Agreement, AvalonBay will pay Housing Rights Center \$20,000. In addition, its

management and leasing staff who work with tenants at the subject property will attend fair housing training. AvalonBay also agreed to comply with all provisions of the Fair Housing Act in the future.



As several of the cases in this issue dealt with familial status and occupancy standards, subscribers to MHI's Fair Housing Update are encouraged to read the so-called Keating Letter on occupancy standards and take steps to ensure their policies comply with that directive.

You may find the Keating Letter on HUD's site by [clicking here](#).