A Civil Rights Journal

Fair Housing – Fair Lending

October, 2022 Bulletin 10

Appeals Court Rules that Plaintiffs Stated Race Claims Against Neighbors

[¶ 10.1] A Seventh Circuit panel held in September that an African American couple stated race discrimination claims against two neighbors, but not against the homeowners association of the community in which they lived.

Tonca and Terence Watters, who are Black, built a home in the Preserve at Bridgewater, a subdivision in Kokomo, Indiana. After they began construction on their home and after they moved in, Ed and Kate Mamaril, who were neighbors, directed offensive and discriminatory comments to them. Kate Mamaril was the president of the homeowners association at the Preserve as Bridgewater when the Watters bought their property and moved in. Ed Mamaril is currently president of the homeowners association. Terence Watters has PTSD and a terminal lung condition.

The Watters sued the Mamarils, the homeowners association, and other association board members, alleging race discrimination. They also alleged that the homeowners association had discriminated on the basis of disability by refusing to allow them to build a privacy fence as a reasonable accommodation for Terence Watters's PTSD. A federal district court granted summary judgment for the defendants. The Watterses appealed the judgment with respect to the homeowners association and the Mamarils.

In an opinion written by Judge Candace Jackson-Akiwumi, a Seventh Circuit panel reversed the order

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of summary judgment for the Mamarils on the race discrimination claims against them. The panel found that the Watterses had stated claims against the Mamarils under 42 U.S.C. § 3617, which prohibits coercion, intimidation, threats, or interference based on the plaintiffs' race, and 42 U.S.C. § 1982. The panel said that the Mamarils' "repeated use of racist language is the quintessential example of interference that establishes 'a pattern of harassment, invidiously motivated.'" However, the court affirmed the order of summary judgment for the homeowners association because it found that the incidents at issue only involved the Mamarils in their individual capacity. It also affirmed summary judgment for the defendants on the Watterses' reasonable accommodation claim because they had not established that the association was aware of Terence Watters's PTSD. [*Watters v. Homeowners Association at the Preserve at Bridgewater*, No 19-3499, 2022 U.S. App. LEXIS 25498 (7th Cir. Sept. 12, 2022)]

Counsel: Robin Clay, Curlin & Clay Law, Indianapolis, IN (Watters); William Ramsey, Barrett & McNagny LLP, Fort Wayne, IN (Homeowners Association)

Eleventh Circuit Affirms Judgment for Defendant in Disability Case

[¶ 10.2] The Eleventh Circuit has affirmed summary judgment for the City of Fort Lauderdale, Florida, in a disability discrimination case filed by the owners of a sober living facility.

Sailboat Bend Sober Living is a for-profit sober living home in Fort Lauderdale that can house up to eleven people. The city zoning code defines a single-family dwelling unit as a unit that is occupied by a family and/or no more than three unrelated persons. The current city ordinance prohibits more than three unrelated persons from living together in the residential district in which Sailboat Bend is located. However, the current zoning ordinance also includes an exception for unrelated persons with disabilities. The ordinance permits more than three persons with disabilities to live in a residential zone in a community residence, but such homes must comply with fire code requirements, including the installation of an approved sprinkler system. The city fire inspector determined that Sailboat Bend would need to comply with the ordinance by installing an approved automatic sprinkler system. Rather than installing a sprinkler system, Sailboat Bend reduced its occupancy to three people.

Sailboat Bend and its owners sued Fort Lauderdale, alleging intentional discrimination. It argued that the zoning ordinance facially discriminated against persons with disabilities in violation of the Fair Housing Act and the Americans with Disabilities Act because families with more than three persons could live in a single dwelling unit without meeting the fire department requirements for re-

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covery homes. A federal district court entered summary judgment for Fort Lauderdale, and an Eleventh Circuit panel affirmed.

In an opinion written by Judge Stanley Marcus, the panel found that the Fair Housing Act and the ADA prohibit discrimination that treats persons with disabilities less favorably than people without disabilities. In this case, the court concluded that the zoning code treats people with disabilities more favorably than other people because "whereas groups of three or more unrelated, non-disabled people cannot live together in residential districts, the Zoning Ordinance specifically exempts 'Community Residences' like Sailboat Bend, allowing them to operate in residential zones if certain conditions…are met." The court also rejected the plaintiffs' argument that the city had failed to grant a reasonable accommodation by not granting them a waiver from the sprinkler system requirement because it found that the waiver was not necessary to accommodate residents with disabilities. [*Sailboat Bend Sober Living LLC v City of Fort Lauderdale*, No. 20-13444, 2022 U.S. App. LEXIS 24118 (11th Cir. Aug. 26, 2022)]

Counsel: Ethan Loeb, Bartlett Loeb Hinds & Thompson, PLLC, Tampa, FL (Sailboat Bend Sober Living); Michael Burke, Johnson Anselmo Murdoch Burke Piper & Hochman, PA, Fort Lauderdale, FL (Fort Lauderdale)

Tenants State Sexual Harassment Claims against Housing Authority and Manager

[¶ 10.3] A federal district judge ruled in August that two residents of a property managed by the District of Columbia Housing Authority (DCHA) stated sexual harassment claims against the housing authority and the housing complex's resident manager.

Belinda Myers and Wanda Thomas sued DCHA and Tifaqur Quantay Oliver, the manager of the James Creek public housing development. Myers and Thomas alleged that over a period of years, Oliver sexually harassed them. Myers and Thompson charged that Oliver engaged in quid pro quo harassment and also created a hostile environment. Myers alleged, in addition to other claims, that on two occasions Oliver suggested that he could help her avoid eviction for unpaid rent in exchange for sexual favors and that he sexually harassed her continually over the years. Thomas also alleged that Oliver told her he could help her avoid eviction if she agreed to have sex with him and sexually harassed her on other occasions through the years. The plaintiffs argued that DCHA was liable for Oliver's actions.

DCHA and Oliver moved for summary judgment. They argued that Myers and Thomas had not stated claims of quid pro quo harassment because they had not shown that they had suffered an adverse action as a result of the harassment. District

Judge Amit Mehta rejected this argument. He noted that HUD's final rule promulgated in 2016 defining quid pro quo harassment "notably makes no reference to a requisite adverse housing consequence." Judge Mehta ruled that the plaintiffs had presented sufficient evidence regarding their quid pro quo claims to "survive summary judgment." He also held that Myers and Thomas had met their burden of showing that "there are genuine issues of material fact as to whether Oliver's alleged harassment was 'severe or pervasive' enough to create a hostile housing environment."

Judge Mehta rejected DCHA's argument that Myers and Thomas had not presented sufficient evidence that the housing authority was directly or vicariously liable for Oliver's actions, ruling that a genuine dispute of fact remained as to this issue. He also concluded that the claims were not barred by the statute of limitations because at least one incident occurred during the statutory period. [*Myers v. District of Columbia Housing Authority*, No. 20-cv-700 (D. D.C. Aug. 20, 2022)]

Counsel: Megan Cacace, Relman Colfax PLLC, Washington, DC (Myers); Alison Davis, Littler Mendelson P.C., Washington, DC (District of Columbia Housing Authority)

Justice Department States Disability Claims on Behalf of Legal Services Organization

[¶ 10.4] A federal district judge has denied the defendants' motion to dismiss a disability discrimination case filed by the Justice Department on behalf of a legal services organization. In making the ruling, the judge accepted in part and rejected in part the report and recommendations submitted by a magistrate judge.

The United States sued Perry Homes and Allyson and Robert Whittington, the owners and management of Pennsylvania rental properties, on behalf of Southwest Pennsylvania Legal Services, Inc. (SWPLS). SWPLS, which operates the Fair Housing Law Center, had filed an administrative charge with HUD against the defendants after conducting testing to determine whether the defendants permitted tenants to have emotional support animals. Testers found that the defendants had no-pets policies and only permitted tenants to have licensed service animals and not emotional support animals. HUD issued a charge of discrimination, and SWPLS elected to have the claims resolved in federal court.

The defendants moved to dismiss the claims. They argued that SWPLS did not have standing to bring its claims and that it had not stated claims under 42 U.S.C. §§ 3604(c) and 3604(f). A magistrate judge recommended that the court rule that SWPLS had established standing by alleging that "its resources were diverted and its mission frustrated due to the Defendants' discriminatory actions." The magistrate also found that SWPLS, through the Justice Department, had stated a claim that the defendants violated Section 3604(c)'s prohibition on publishing discrimina-

tory notices or statements with respect to the rental of a dwelling by implementing a written no-pets policy that did not allow support animals. The magistrate also found that SWPLS had stated claims that the defendants had discriminated on the basis of disability and that they had failed to make reasonable accommodations. She rejected the defendants' argument that the reasonable accommodation claims should be dismissed because the testers had not actually applied for or needed housing and were pretending to be disabled. However, the magistrate also recommended that the court find that the plaintiff had not adequately pled whether it was alleging disparate treatment or disparate impact.

District Court Judge Marilyn Horan accepted the magistrate's recommendation that she rule that the plaintiff had standing and had stated a claim that the defendants had violated Sections 3604(c) and 3604(f). Judge Horan also ruled that the plaintiff was not required to specifically plead whether it was bringing its claim under a disparate treatment or disparate impact theory at this stage of the litigation. [*United States v. Perry Homes, Inc.*, No. 2:21-cv-977, 2022 U.S. Dist. LEXIS 134801 (W.D. Penn. July 29, 2022)]

Counsel: Jacqueline Brown, U.S. Attorney's Office, Pittsburgh, PA (United States); Richard Hunt, Garland, TX (Perry Homes)

Court Enjoins Housing Authority From Requiring Disabled Tenant to Move

[¶ 10.5] A federal district judge has entered a temporary restraining order prohibiting the Housing Authority of Cherryvale, Kansas, from requiring a tenant with disabilities to move from a two-bedroom apartment to a one-bedroom unit.

Melissa Wren has multiple disabilities and uses a wheelchair. She lives in a two-bedroom apartment in a Cherryvale, Kansas, building operated by the Cherryvale Housing Authority (CHA). Wren has personal assistance aides during the day and at night. Her nighttime aide sleeps in the second bedroom when she is on duty, but also has her own apartment.

In March 2022, Wren moved into a two-bedroom apartment, but in July the CHA executive director informed her that she was being transferred to a one-bedroom apartment because her aide was not a live-in aide. The CHA denied her request that she be allowed to remain in the two-bedroom unit as an accommodation for her disabilities. Wren then sued the CHA and the executive director, alleging the failure to make reasonable accommodations for her disabilities in violation of the Fair Housing Act, the Rehabilitation Act, and the Americans with Disabilities Act.

In August, District Judge John Broomes entered a temporary restraining order enjoining the CHA from requiring Wren to move out of her apartment. Judge Broomes ruled that Wren was likely to succeed on the merits of her claims. He found

that the accommodation that Wren requested was reasonable; that she would suffer irreparable harm if she was required to move; that the balance of equities weighed in favor of issuing the order; and that the order was in the public interest. [*Wren v. City of Cherryvale, Kansas*, No. 22-1180-JWB, 2022 U.S. Dist. LEXIS 153450 (D. Kan. Aug. 25, 2022)]

Counsel: David Calvert, Wichita, KS (Wren); Michael Hobbs, Sanders Warren & Russell LLP-OP, Overland Park, KS (Cherryvale Housing Authority)

Continuing Violation Doctrine Does Not Apply to Plaintiff's Reasonable Accommodation Claims

[¶ 10.6] The continuing violation doctrine did not apply to a plaintiff's claims that the management of her building failed to make reasonable accommodations for her disabilities on numerous occasions, a federal district judge ruled in August.

Joanne Higgins owned and lived in a unit at the 125 Riverside Boulevard at Trump Place Condominium in New York City. Higgins has numerous disabilities, including symptoms from PTSD, a back injury, and a traumatic brain injury. Higgins bought her unit in 2016 and from the time she moved in, there were numerous problems which aggravated her disabilities, including mold in the building, noxious fumes, and disruption from construction projects. Over the years Higgins made many requests that the building management take various steps in connection with the problems to accommodate her disabilities but never received satisfactory responses. In 2021, Higgins sued the Board of Managers, the board president, and other defendants connected with building management, alleging, among other things, the failure to make reasonable accommodations for her disabilities. The defendants filed a motion to dismiss.

District Judge Lewis Liman granted the defendants' motion to dismiss the reasonable accommodation claims regarding accommodation requests that occurred more than two years before Higgins filed her lawsuit, ruling that they were barred by the statute of limitations. Judge Liman rejected Higgins's argument that all her reasonable accommodation claims were timely because they were actually part of a continuing violation. Judge Liman noted that courts have found that "the refusal to accommodate an individual seeking an accommodation for a disability or a handicap is a discrete act taken by the defendant." He ruled that because "'[e]ach of the alleged acts that preceded May 12, 2019 was complete and concluded more than two years before Higgins filed this action,' Higgins could not take advantage of the continuing-violation doctrine to make claims related to those acts timely." However, he denied the defendants' motion to dismiss the reasonable accommodation claims that fell within the limitations period, ruling that Higgins had stated a claim alleging that the defendants had failed to make a reasonable accommodation when they "ignored" a request by Higgins made after May 12, 2019, asking that the management give her advance notice

of construction work as an accommodation for her disability. [*Higgins v. 120 Riverside Boulevard at Trump Place Condominium*, No. 21-cv-4203, 2022 U.S. Dist. LEXIS 157466 (S.D.N.Y. Aug. 31, 2022)]

Counsel: Yenisey Rodriguez-McCloskey, Brooklyn, NY (Higgins); Arthur Xanthos, Gartner & Bloom P.C., New York, NY (120 Riverside Blvd.)

Court Enters Summary Judgment For Defendant City In Disability Case

[¶ 10.7] A federal district court has entered summary judgment for the City of Allentown, Pennsylvania, in a disability discrimination case brought against it by a church that was denied a zoning variance to run a drug and alcohol recovery facility in a residential district.

Allentown Victory Church (AVC) sued Allentown alleging intentional discrimination and disparate impact after the Allentown Zoning Board denied the church's request for a zoning variance for a recovery facility for fifteen residents in an area zoned for residential use. Group homes for no more than 12 residents, which include "children, the aged, or the handicapped," are permitted if the applicant for a facility obtains a zoning variance. AVC asked for permission to have fifteen residents as a reasonable accommodation, but the board denied its request.

AVC sued Allentown under the Fair Housing Act and other laws, alleging that the city had engaged in a pattern or practice of discrimination against persons with disabilities. District Court Judge John Gallagher entered summary judgment for the city. Judge Gallagher found that the zoning ordinance was not discriminatory on its face and ruled that AVC had "present[ed] 'nothing more than unsupported assertions to support' its allegations of discriminatory animus." He also found that AVC had not presented any evidence in support of its claim that the ordinance had a disparate impact on persons with disabilities. [*Allentown Victory Church v. City of Allentown, Pennsylvania*, No. 5:21-cv-03021, 2022 U.S. Dist LEXIS 158807 (E.D. Penn. Sept. 1, 2022)]

Counsel: Steven Polin, Washington, DC (Allentown Victory Church); David MacMain, Westchester, PA (City of Allentown)

Black Couple States Race Claim Against Massachusetts Town

[¶ 10.8] A Black couple whose application for a permit to develop a condominium project in a white neighborhood in Natick, Massachusetts, was denied stated race discrimination claims against the Town of Natick, a federal district judge ruled in September.

Linda and Joel Valentin purchased historic property in a predominantly white neighborhood of Natick. The Valentins, who are of Haitian descent, wished to renovate an existing house and reconstruct an historical barn and carriage house for condominium units in compliance with the town's historic preservation law. The Valentins had worked closely with the Natick planning board to develop the historic preservation law, which was intended

to preserve certain historical properties by permitting redevelopment of condominiums or other multifamily units. They then applied for a special permit and site approval plan under the law. The planning board initially supported the Valentins but eventually denied the application in the face of neighborhood opposition. An application for a similar project submitted by a group of white individuals was approved.

The Valentins sued the town of Natick, the planning board, members of the planning board, and the Natick Historical Commission, alleging discrimination on the basis of race, color, and national origin. The defendants moved to dismiss the claim. Judge Patti Saris ruled that the Valentins had stated claims under the Fair Housing Act, 42 U.S.C. §§ 3604 and 3617. She also held that they had stated Equal Protection and Substantive Due Process claims. However, she dismissed a claim of interference with their rights in violation of the Massachusetts Civil Right Act. [*Valentin v. Town of Natick*, No. 21-10830, 2022 U.S. Dist. LEXIS 174578 (D. Mass. Sept. 27, 2022)]

Counsel: Benjamin Wish, Todd & Weld LLP, Boston, MA (Valentins); Adam Simms, Pierce Davis & Perritano LLP, Boston, MA (Town of Natick)

Recent Settlements

[¶ 10.9] The following settlements have been reached.

■ Under the terms of a consent order resolving claims of lending discrimination, Evolve Bank and Trust will establish a settlement fund of $1.3 million dollars to compensate borrowers who were affected by the bank's practices. In a complaint filed simultaneously with a consent decree, the Justice Department alleged that between 2014 through 2019 Evolve "implemented policies and practices that resulted in Black, Hispanic, and female borrowers paying more in the 'discretionary pricing' components of home loans that white or male borrowers."

In addition to creating the settlement account, Evolve will pay a $50,000 civil penalty. It will also implement a revised pricing policy and provide equal credit opportunity training to employees. [*United States v. Evolve Bank and Trust*, No. 2:22-cv-02667 (W.D. Tenn. Sept. 29, 2022) (complaint and consent order filed)]

Counsel: Sara Niles, Dept. of Justice, Washington, DC (United States); Jeffery Naimon, Buckley, LLP, Washington, DC (Evolve Bank and Trust)

■ Lakeland Bank will invest a minimum of $12 million in a loan subsidy fund under the terms of a consent decree resolving Justice Department claims that it discriminated on the basis of race, color, or national origin by engaging in a pattern or practice of unlawful redlining in providing mortgage services in the Newark, New Jersey, metropolitan area.

The loan subsidy fund will be used to increase credit for home mortgage loans, home improvement loans, and home refinance loans in majority

Black and Hispanic census tracts in the bank's Newark lending area. Lakeland will also spend at least $150,000 per year on advertising, outreach, consumer financial education, and credit counseling in the Newark lending area and $400,000 for the development of community partnerships. It will open two new bank branches in neighborhoods of color. [*United States v. Lakeland Bank*, No. 2:22-cv-05746 (D.N.J. Sept. 28, 2022) (complaint and consent order filed)]

Counsel: Marta Campos, Dept. of Justice, Washington, DC (United States); John Gorman, Luse Gorman PC, Washington, DC (Lakeland Bank)

■ The architect for eight senior living facilities in Pennsylvania has agreed to a consent order resolving a Justice Department lawsuit alleging that it had not complied with the design and construction requirements of the Fair Housing Act and the Americans with Disabilities Act. J. Randolph Parry Architects will deposit $350,000 into an account to be used by the owners of the buildings to retrofit the properties. It will submit architectural drawings for future projects to the United States for review. It will also deposit $75,000 into a settlement fund for persons who were harmed by its actions and pay a civil penalty of $25,000. [*United States v. J. Randolph Parry Architects, P.C.*, No. 5:20-cv-06249 (E.D. Penn. Sept. 28, 2022) (consent order filed)]

Counsel: Julie Allen, Dept. of Justice, Washington, DC (United States)

■ The developers of eleven multifamily complexes in Maryland have agreed to make extensive retrofits to the complexes under the terms of a proposed consent decree resolving a complaint filed the Justice Department.

The government alleged that Humphrey-Stavrou Associates and related entities did not comply with the design and construction requirements of the Fair Housing Act and the Americans with Disabilities Act in the development of the complexes. The defendants have agreed to retrofit the complexes to bring them into compliance with the law. They will also deposit $175,000 into a settlement fund for damages for prospective, current, and former aggrieved residents. [*United States v. Humphrey-Stavrou Associates Inc.*, No. 1:22-cv-02448 (D. Md. Sept. 27, 2022) (complaint and consent order filed)]

Counsel: Beth Pepper, Dept. of Justice, Washington, DC (United States); Minh Vu, Seyfarth Shaw LLP, Washington, DC (Humphry-Stavrou Associates)

■ The owners, operators, and managers of an Orlando, Florida, apartment complex have agreed to pay a total of $260,000 to a family who lived in the complex and other residents who the United States alleged were harmed by the defendants' practices under the terms of a consent order resolving claims of familial status discrimination.

The United States sued the operators of Amelia Court at Creative Village on behalf of a family with children. The Justice Department alleged that the defendants violated the Fair Housing Act by refusing to issue building access devices to residents

under the age of 18 and by requiring children to be supervised by an adult in the complex's common areas and to be accompanied by a legal guardian in the clubhouse and fitness center.

The defendants are enjoined from imposing rules or policies on minor residents unless the rules are "narrowly tailored to further a legitimate, nondiscriminatory purpose." Employees will receive fair housing training and the defendants will pay a $5,000 civil penalty. [*United States v. Concord Court at Creative Village Partners LTD*, No. 6:22-cv-01924 (M.D. Fla. Oct. 6, 2022) (consent order and complaint filed)]

Counsel: Jaclyn Harris, Dept of Justice, Washington, DC (United States); Scott Moore, Baird Holm LLP, Omaha, NE (Concord Court)

Recent Filing

[¶ 10.10] The following case has been filed.

■ The Justice Department has filed a sex and disability discrimination case against the owner and management of a 19-unit apartment building in Milwaukee, Wisconsin. The government alleges that Dennis Parker, the manager of the property owned by Leaf Property Investments LLC, harassed a gay male tenant of the building who has several disabilities. According to the complaint, Parker subjected the tenant to severe, pervasive, and unwelcome harassment. The government also charges that Parker punched the tenant in the groin. The tenant has moved out of the building. DOJ seeks monetary damages on his behalf as well as declaratory and injunctive relief. [*United States v. Leaf Property Investments, LLC*, No. 2-22-cv-01037 (E.D. Wis. Sept. 9, 2022) (complaint filed)]

Counsel: Lauren Marks, Dept. of Justice, Washington, DC (United States)

HUD News

HUD Settlements

[¶ 10.11] HUD has announced the following settlements.

■ HUD announced in September that Ka Hale A Ke Ola Homeless Resource Centers Inc. (KHAKO), several of its employees, and the County of Maui, Hawaii, have entered into a voluntary compliance agreement with HUD. The agreement resolves a complaint alleging that the respondents violated the Fair Housing Act and the Rehabilitation Act by discriminating against a tenant of the homeless shelter they operate who has disabilities. According to HUD, the respondents refused to provide the tenant with reasonable accommodations, subjected her to different terms and conditions, and subjected her to discriminatory acts of harassment and retaliation. The complainant had asked for a single room and for permission to leave her room after curfew to access medical supplies as reasonable accommodations.

The shelter operators have agreed to pay the tenant $19,000. The county, which owns the shelter, will pay her $10,000. The shelter will revise its policies and procedures, and staff will receive fair housing training. [*Complainant v. Ka Hale A Ke Ola*

Homeless Resource Centers, Inc., FHEO No. 09-21-5673-8 (HUD Office of Fair Housing and Equal Opportunity Sept. 12, 2022) (agreement announced)]

■ The Housing Authority of the City of Dallas, Texas, (DHA) will pay a former public housing tenant $500,000 pursuant to a voluntary compliance agreement reached in September resolving a HUD complaint filed by the DHA tenant. The tenant could not climb the stairs to her second-floor apartment after she was seriously injured in an automobile accident. She alleged that the DHA discriminated on the basis of disability when it did not grant her request to move to a ground floor apartment. The tenant also alleged that after she requested to move as a reasonable accommodation for her disability, the DHA retaliated against her by pursuing an eviction action.

In addition to paying the tenant $500,000, DHA will vacate any judgments it has obtained against her and clear any debts it alleged that she owed. It will pay a $10,528 civil penalty and will revise its policies and procedures. [*HUD v. Dallas Housing Authority*, HUD Case No. 06-20-7001 -8 (HUD Sept. 9, 2022) (voluntary compliance agreement announced)]

■ The owners and operators of Perris Family Apartments, a California apartment complex, the Perris property manager, and a maintenance worker have entered into a conciliation agreement resolving claims of sex discrimination. A female tenant had alleged that Kenneth Parker, the maintenance worker, subjected her to sexual harassment and the owners and manager did nothing to prevent it.

Perris Family Apartments will pay the tenant $21,000. Perris has also agreed to process any future complaints in compliance with the law and to provide fair housing training for employees. [*Voluntary Compliance Agreement between HUD and Perris Family Apartments*, HUD No. 09-21-3841-8 (HUD Sept. 23, 2022) (conciliation / compliance agreement announced)]

HUD Charge

[¶ 10.12] HUD has filed the following charge.

■ HUD has charged the owner and the manager of the Fox Run Apartments in Shawnee, Kansas, with disability discrimination. According to the charge, Fox Run refused to permit the complainant, who has mental health disabilities and who applied for an apartment for himself and his son, permission to occupy an apartment with the complainant's emotional support dog, although he had supplied the necessary medical documentation in support of his request. [*HUD v. Fox Run Apartments, LLC*, FHEO No. 07-20-5367-8 (HUD Office of Hearings and Appeals August 25, 2022) (charge filed)]

In This Report

The following opinions are among the matters discussed in this issue:

Federal Court Decisions

■ *Watters v. Homeowners Association at the Preserve at Bridgewater* [¶ 17,937] – race; disability

■ *Sailboat Bend Sober Living LLC v City of Fort Lauderdale* [¶ 17,938] – race; national origin; lending

■ *Myers v. District of Columbia Housing Authority* [¶ 17,939] – sexual harassment

■ *United States v. Perry Homes, Inc.* [¶ 17,940] – disability; standing

■ *Wren v. City of Cherryvale, Kansas* [¶ 17,941] – disability; reasonable accommodation

■ *Allentown Victory Church v. City of Allentown, Pennsylvania* [¶ 17,942] – disability; reasonable accommodation; continuing violation doctrine

■ *Valentin v. Town of Natick* [¶ 17,943] – race

FILING INSTRUCTIONS

File this report bulletin on top of Bulletin 9.

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