

Preventing & Addressing Sexual and Other Discriminatory Harassment in Housing
for PHA Residents & Voucher Program Participants

Alexandria: Hi my name is Alexandria Lippincott and I am a trial attorney in HUD's Office of General Counsel Fair Housing Enforcement Division.

Alexandria: Welcome to preventing and addressing sexual and other discriminatory harassment in housing. A fair housing training for residents and tenants of public housing and voucher housing. HUD's offices of Public Indian Housing, Fair Housing and Equal Opportunity, and the Office of General Counsel Fair Housing have developed this training for tenants who live in public housing, or in housing assisted by housing choice vouchers or project based vouchers.

Alexandria: To begin today we will share with you some welcoming remarks from Anna Maria Farias, the Assistant Secretary for Fair Housing and Equal Opportunity, and Dominique Blom, the General Deputy Assistant Secretary for Public and Indian Housing.

Anna Maria: Hello my name is Anna Maria Farias, and I'm HUD's assistant secretary for Fair Housing and Equal Opportunity. Welcome to today's training on preventing and addressing sexual harassment in housing.

Anna Maria: Every day we hear and read news stories about individuals who have been subjected to unwanted sexual advances and other forms of harassment. These incidences can happen to anyone, anytime and anywhere. Here at HUD we're seeing more and more cases involving women and men who have been subjected to harassment where they live. No one should have to endure this type of treatment to keep a roof over their head. It's illegal and we are doing something about it.

Anna Maria: Today's training is one in a series of sessions HUD is conducting to help you gain a clearer understanding of what sexual harassment is, and HUD's enforcement authority when it comes to sexual harassment. You will also learn about our ongoing initiatives in this area. Including a joint HUD and Justice Department task force that has been created to combat sexual harassment.

Anna Maria: Thank you again for making the commitment to learning all you can about what behavior and actions constitute illegal harassment, and HUD's increased efforts to address this type of discrimination. We look forward to working with you to ensure that no one is denied the ability to feel safe and secure in the place they call home. Thank you very much.

Dominique: Hello my name is Dominique Blom and I'm HUD's General Deputy Assistant Secretary for Public and Indian Housing.

Dominique: Thank you for viewing this training about the approaches you can use to prevent and address sexual harassment. This training has been developed to provide you

with information about the Fair Housing Act's protections regarding sexual harassment and other types of harassment. This video, other videos and additional reference materials, which are available on HUD exchange, will define harassment including sexual harassment and will explain HUD's enforcement authority to address harassment. You are encouraged to share these training materials and videos with peers and neighbors. Thank you for ensuring that secure and safe housing is available for families in your community.

Alexandria: Thank you to the Assistant Secretary and the General Deputy Assistant Secretary for their welcoming remarks to today's training.

Alexandria: This training series is a key component in the task force that assistant secretary mentioned. The task is a joint initiative between HUD and the department of justice to combat sexual harassment in housing. The two agencies will engage in public outreach, such as today's training, information sharing, and joint enforcement of the Fair Housing Act. My colleagues who are joining me in this training are Casey Weissman-Vermeulen, a trial attorney in HUD's Office of General Counsel, Fair Housing Enforcement Division, and Megan Whyte de Vasquez, a trial attorney in the Department of Justice's Housing and Civil Enforcement section in the Civil Rights Division. Later, she will discuss several harassment cases that HUD has charged and DOJ had prosecuted against public housing agencies and private landlords and their management companies.

Alexandria: Before we get into the training agenda, however, we have a few housekeeping details to go over. This is a prerecorded training, so we can't take your questions during the training itself. However, we have set up an email inbox for you to send questions to us at hudquestions@hud.gov. We will respond at a later date in a written document that will post to the HUD Exchange website. You can respond with questions for sometime, not just during the next week or so. It will be open for probably another month or two. We want to be clear though, that if you have questions about the training, submit your questions to the training email. If you have questions about filing a Fair Housing Act complaint, or want to file a Fair Housing Act complaint, we will explain that at the end of the training.

Alexandria: In addition to the Q&A document that will develop based on your questions, we are also going to be posting the recording of this training, PowerPoint for this training, and fact sheet for this training and the other three trainings in the series. The first two dealt with public housing agency executives, staff, and boards of commissioners. The third training dealt with landlords who accept vouchers, and then we have this training.

Alexandria: In our training today, we will explain how sexual and other discriminatory harassment violates the Fair Housing Act. We'll inform you about your rights as a tenant to be safe and secure without harassment in your housing. We'll use hypothetical scenarios to learn how to recognize sexual harassment in housing.

We'll also identify steps that you can take to report sexual harassment when it does occur.

Alexandria: Let's start with some legal context. The Fair Housing Act is the law that prohibits sexual harassment in housing. It does much more than that, however. The act prohibits discrimination in housing, and housing related services and transactions because of race, color, religion, sex, national origin, familial status, or disability. It also prohibits retaliation against someone who has made a complaint about discrimination or otherwise exercised his or her fair housing rights, such as applying for housing. The prohibition against retaliation also protects someone who has aided another person in the exercise of that other person's fair housing rights. For example, this could be someone helping another person search for or apply for housing. So while this training focuses on sexual harassment or discrimination because of sex, it's important to note that harassment because of any of the other six protected classes also violates the Fair Housing Act.

Casey: In more practical terms, what does it mean for you as a tenant, that the Fair Housing Act prohibits harassment based on sex? It means your landlord may not sexually harass you. It also means that your landlord must ensure that your housing is free from discrimination by others. All landlords and property managers, as well as their agents and employees are responsible for preventing and addressing harassment in your housing. Landlords and their managers should establish and enforce anti harassment policies. And of course, landlords and their employees and agents must take action to stop harassment when they become aware of it. That obligation is the same whether the harassment is being committed by the employee or by one tenant against another. If you experience harassment, you have a right to complain, and have the harassment stopped.

Casey: Sexual harassment in housing can take many different forms. Sexually harassing conduct may appear as unwelcome sexual advances or requests for sexual favors, or other spoken, written, or physical conduct of a sexual nature. But it can also take the form of offensive remarks or other hostile behavior because of a person's sex. Such conduct, whether in the form of sexual come-ons, or in the form of insults or hostility because of a person's sex, can be conveyed in a variety of ways. For example, through statements, written notes, text messages, voicemails, or photographs. It's important to note that harassing conduct doesn't require physical contact between the harasser and the victim.

Casey: Sexual harassment violations of the Fair Housing Act are typically categorized as one of two types. One type involves the placement of illegal conditions on housing. Specifically, it's illegal under the Fair Housing Act for a landlord or a landlord's employees or agents to condition the provision of housing or housing related services on an applicant or a tenant's submission to unwelcome demands for sex, sexual favors, or other sexual conduct. Examples of this type of harassment include a landlord demanding nude photos in return for

approving a rental application. A maintenance man requesting sexual favors in return for making repairs. Another example is if a landlord offers to forgive past due rent if a tenant agrees to have sex with him. Or, a property manager evicting a tenant who rejects his sexual requests.

Casey: Another type of sexual harassment is called hostile environment sexual harassment. As implied by the term hostile environment, this type of illegal harassment occurs when a landlord, a landlord's employee or agent, or another tenant engages in severe or pervasive, unwelcome sexual conduct that interferes with the person's ability to obtain, maintain, or use and enjoy their housing or any housing related service. Examples of hostile environment sexual harassment include a landlord persistently making unwelcome and lewd comments about a resident's body. Another example is a property manager touching an applicant's intimate body parts without her consent. Or, another example would be a maintenance man repeatedly sending unwelcome, sexually explicit text messages and photos to a tenant.

Casey: Having covered the two major categories of harassment, I want to emphasize that you don't need to worry about using particular labels or terms to describe harassment if someone has subjected you to harassing conduct and you need to make a complaint. Both types of harassment violate the Fair Housing Act, and harassers often commit both types of harassment at the same time. Your rights are the same, regardless of what type of harassment might be occurring. Landlords and their employees and agents must take steps to protect you from both types of harassment. I also want to specifically point out that both women and men may be victims of sexual and other types of discriminatory harassment.

Alexandria: Now we're going to use a hypothetical to illustrate the different forms that harassment can take. After we go through the hypothetical, we will discuss what happened, why the conduct is harassment, and what you can do to protect your right to live in housing free from harassment.

Alexandria: Here are the facts of our hypothetical scenario. Jane lives in the Terrace View Apartments, where she rents an apartment with a tenant based voucher. Jane submits a maintenance request to fix a leak under her kitchen sink. John, the maintenance man, responds to the request. When fixing the sink, John asks Jane if she has a boyfriend. Jane says, "That's none of your business." He responds by saying she's really hot, and that we should hang out. Jane says she is not interested. A few days later, Jane's sink starts leaking again. She calls in another maintenance request. Jane gets a call back from John who says "he's too busy to repair the sink that day", but says "he'll find the time that evening if she wants to hang out with him." Jane tells John she does not want to hang out with him, and he replies, "That's too bad," and hangs up. Jane's sink continues to leak.

Alexandria: Did John violate the Fair Housing Act? Yes. John placed illegal conditions on Jane's housing by delaying repairs because Jane refused his sexual come-ons.

Casey: Turning back to our hypothetical scenario, more than a week after Jane spoke on the phone, John uses his master key to enter Jane's apartment late at night without knocking. Jane is home and is startled by his entry. He tells Jane he's there to check on the sink, even though John never notified her that he was coming. In the kitchen, John touches Jane on her rear end, points to a photo of Jane on the fridge, and says, "Wow, you look hot in that bikini. You should put that bikini on for me right now." Jane refuses and tells John that he needs to leave. John responds saying he was just kidding and asks, "Don't you need me to fix your sink?" Jane says yes, and reminds John that the sink had been leaking for over a week.

Casey: John makes the repair, but then, instead of leaving, he sits down on the couch, motions for her to join him, and says, "Now we can just chill out, watch a movie, and have a little sleepover." Jane tells John that he needs to go, and that she has to leave for work early in the morning. John slowly gets up from the couch. As he leaves, he says, "You sure you don't want to call in sick? I promise you a good time if you do." Jane says, "No, you need to go," and closes the door quickly. Jane complains to her landlord about John's comments, and that he entered her apartment without notice late at night.

Casey: Did John violate the Fair Housing Act? Yes. John created a hostile environment when he repeatedly commented on Jane's body, touched her, implied that they should have sex, and abused his authority by accessing her home with a master key without giving her prior notice, all of which was unwelcome to Jane. In sum, John's conduct was unwelcome, severe or pervasive, or both, and interfered with Jane's enjoyment of her home. Before moving on though, I want to point out that this scenario isn't meant to suggest that all of the harassing conduct described would have to incur in order for there to be a violation of the Fair Housing Act. Even if only some of John's conduct had occurred, it could still violate the law. In fact, even a single act of harassment could violate the act if it is severe. For instance, John's touching of Jane on her rear end by itself is enough to violate the Fair Housing Act.

Alexandria: Although Jane is still waiting for a response from her landlord, she decides to contact HUD to file a Fair Housing Act complaint against John. After HUD notifies the landlord of the complaint, the landlord confronts Jane and tells her that he will evict her unless she withdraws the complaint against John.

Alexandria: Let's discuss what just happened in incident four in our hypothetical. Did the landlord violate the Fair Housing Act? Yes. Retaliation against a person because he or she complained about being sexually harassed is illegal under the Fair Housing Act. The landlord's threat of eviction is illegal retaliation. Note, while Jane or any other tenant has the right to complain to her landlord, she does not have to go to her landlord first. She can go directly to HUD to make a complaint.

Alexandria: As tenants, you have options for making a complaint to the public housing agency. You can go to a property manager, or the manager's supervisor, to the

executive director, the deputy director of the public housing agency, or the board of commissioners. You should start with the property manager, but if that person does not address the harassment or is the harasser, you can go up the chain to seek resolution of the complaint to the PHA. If you are not satisfied with the response from the PHA representative, you can also contact your local PIH office of field operations. Also, your PHA's resident advisory board and the resident counsel may also be able to help you with your complaint to the PHA and to avoid further harassment. At any time, a public housing resident may file a Fair Housing Act complaint with HUD or a local FAP, or an equal access rule complaint with HUD or the PHA. We'll explain about the equal access rule later in the presentation. We'll also tell you how to file such complaints at the end of the presentation.

Alexandria: Housing choice voucher and project faced voucher tenants in private housing have similar options for making a complaint. Voucher program participants are part of the public housing program, and can directly contact public housing representatives in addition to complaining to the manager or owner of their private dwelling. Voucher holders should work with a chain of authority that includes the private property manager, the property owner, public housing or housing choice voucher program managers, the public housing director of asset management, the public housing executive director or deputy director, or the board of commissioners. Again, start at the beginning of the chain, and as previously noted, if you're not satisfied with the response from your public housing representatives, you can also contact your local PIH office of field operations.

Alexandria: As with the PHA residents, voucher holders may file a fair housing complaint with HUD or a local FAP or an equal access rule complaint with the local HUD office, or the PHA office. You don't have to wait until the harassment is severe or pervasive to take action. Notify someone the first time you are subjected to unwelcome sexual comments or conduct. If your public housing agency has a policy on making complaints, follow that policy. Ideally, put your complaint in writing, and be specific about what happened, and save a copy for yourself as well.

Casey: Now, if an illegal condition has been placed on your housing, or if you have been subjected to severe or pervasive harassment, you should file a complaint with HUD. Complaints to HUD must be filed within one year of the last instance of harassment. For instance, if your landlord has repeatedly propositioned you for sexual favors or made unwelcome comments about your body, you must file a complaint with HUD within one year of the last time that type of conduct occurred.

Casey: Once you contact HUD, you should expect to speak with a complaint intake specialist that will ask you some basic questions about what happened, and will help you draft a formal complaint and ask you to sign it. You should be prepared to give as much information as possible, specifically, you should be ready to give

your name and contact information for follow up. You should be prepared to give a summary of what happened, and include as much specifics about what was said or done as possible.

Casey: If you have any evidence of the harassment, for example, texts, photos, voicemails, or letters, you should save it and let HUD know about it. You should also be prepared to identify the harasser if you know his or her name. You should also name any witnesses to the harassment, and also, identify the property name and address of where the harassment occurred. To the extent possible, you should provide any specific dates and times of the harassment, and also be prepared to identify where specifically the harassment took place in or around your home.

Casey: At the end of the presentation, we'll provide you the phone number and website for how to contact HUD to file a fair housing complaint.

Casey: Once a complaint is filed with HUD, HUD will notify the parties to the complaint and start an investigation. That investigation will ordinarily include interviewing you, as well as the alleged harasser, or your property owner, and other witnesses. HUD will also review any documents or other evidence that you or any other party provides. At the end of the investigation, if warranted by HUD's findings, HUD will file a law suit against the property owner, and any employee, agent, or other person believed to have violated the Fair Housing Act.

Casey: Through such lawsuits, HUD can get money damages for you for the harm caused by the harassment, an order requiring the landlord and any employees or agents to stop the harassment, and take steps to prevent it from happening again in the future, and other penalties. As Megan will talk about in more detail a bit later in the presentation, a lawsuit filed by HUD will be referred over to the Department of Justice for prosecution if you or anyone else involved in the complaint asks for the case to be handled in federal court. If that happens, DOJ can request the same type of money damages and other relief that HUD can request in its administrative enforcement actions.

Alexandria: We have a new scenario for you. Bill, who is black, lives in an apartment building that received project based housing assistance. For weeks, Bill's white neighbor uses racial slurs, tells Bill that blacks shouldn't be allowed to live there, spits on him, and repeatedly tells Bill to go back to Africa. Bill complains to the property manager, who does nothing. In this scenario, one tenant is racially harassing another. This is illegal.

Alexandria: Landlords and their employees and agents must take actions within their power to stop one tenant from harassing another because of race, sex, disability, or any of the protected classes if they knew, or should've known about the harassment. Should have known, means that the owner had information that would lead a reasonable person to conclude that the harassment was occurring. Such information can come from the harassed tenant, him or herself, a witness

to the harassment, police visits to the property, or news reports, for example. A landlord's corrective action, however, must not harm the harassed tenant, and the neighbor who harassed Bill must stop harassing him.

Alexandria: There are various other forms of harassment that violate the Fair Housing Act. In the last scenario, the harassment was based on race, but persons with disabilities are also often targets of harassment that violates the Fair Housing Act. Such harassment might include mocking a person for his or her disability, obstructing access to the person with physical limitations, or telling a person that he or she doesn't belong in the housing because of his or her disability.

Alexandria: As with any other type of discriminatory tenant on tenant harassment, an owner or management company must take appropriate corrective action to stop the harassment when a tenant with a disability complains that they're being harassed by another tenant because of their disability. Public housing agencies, landlords, and management companies violate the Fair Housing Act if they fail to take action and stop the harassment when they know of it, or if they themselves are the harassers.

Alexandria: I'm going to turn things over to Megan, who's going to discuss some enforcement actions by the department of justice taken against public housing agencies and private owners that accept vouchers, that will provide some specific examples of the types of conduct that arise in such cases and what DOJ does to find additional victims and to resolve a case.

Megan: For nearly 30 years, the Department of Justice has filed lawsuits in federal court based on sexual harassment in housing. The Fair Housing Act makes sexual harassment in housing illegal, and it applies to private housing as well as subsidized housing. Over the years, the Department of Justice has brought sexual harassment cases involving public housing, private housing, and voucher housing. This issue can affect anyone. Women or men, home buyers or renters. But in our cases, the victims we see most often are people who are particularly vulnerable. They're often single mothers. Sometimes they have prior criminal convictions or drug issues. And sometimes they are public housing tenants or voucher holders, or other people with few housing options.

Megan: Cases can come to the Department of Justice in different ways. Sometimes they start because one person filed a Fair Housing Act complaint with HUD, as described earlier. This type of case can involve only one victim, or it can involve multiple victims. Sometimes the Department of Justice can file a Fair Housing Act lawsuit, even when no one has filed a HUD complaint. We can do this when we learn about a situation that is a pattern or practice of discrimination or harassment. Generally, this means that there are multiple people who have experienced harassment, and a pattern of harassment over time. In our experience, we found that sexual harassment cases often involve a pattern or practice. It is rare that there is only one incident, and only one victim.

Megan: We learn about these types of cases many different ways. From lawyers, from advocates, from the media, or even from the victims themselves. When we learn of sexual harassment in housing, and we think that it might be part of a pattern or practice, then we can investigate. We can file a lawsuit if we determine that there is a pattern or practice of sexual harassment. In many situations, the Department of Justice can file pattern or practice lawsuits even when the harassment happened many years ago. If you are harassed, you can file a Fair Housing Act complaint with HUD within one year of the harassment. But if you have missed that window, the Department of Justice may be able to help.

Megan: In our cases, we can recover money damages for victims, civil penalties, which are paid to the US treasury, but generally we don't just seek money. We also seek specific orders for defendants to do or not do certain things. For example, we might require the defendants to fire the harassers and not hire them again. We might require the defendants to adopt new policies or take fair housing training. We might require the defendants to hire a new manager for the properties.

Megan: When we investigate a complaint, we generally start by interviewing the victims that we know about. We may do a telephone interview, an in person interview, or both. We generally try to determine whether or not there are other victims or witnesses who have not yet come to HUD or to the Department of Justice. We go out, and we try to find people who have information. Sometimes we call people, or we send them letters. We might also knock on people's doors to see if they are willing to talk to us. Sometimes HUD does these same types of things when it investigates complaints.

Megan: People from the Department of Justice travel around the country for our investigations and cases. People in my office also work with United States attorney's offices throughout the country. So, when we learn about harassment far from Washington D.C., we can still be on the ground meeting people and working in your community.

Megan: I thought it might be helpful to talk about actual Department of Justice lawsuits. That way, you can get a sense of the types of sexual harassment we hear about, and the types of cases that we have brought. I'm going to talk about the United States versus Kansas City, Kansas housing authority. Casey KHA operated that city's public housing. The Department of Justice heard that three housing authority employees were sexually harassing public housing residents and applicants. One was a hearing officer we heard that he gave housing to people appealing denials, and he dismissed fines and fees residents owed to the housing authority, if he could show them his private parts, show them pornography, or ask them sexual questions. There was a property manager. The department heard that he asked tenants for sex in exchange for getting into public housing, or getting a housing transfer. We also heard that the director of housing management evicted residents who rejected his sexual advances.

Megan: Going to talk about the experience of one woman who was harassed by the hearing officer. As we alleged in the complaint, the woman was a tenant in public housing. The housing authority filed a petition in court to evict her for unpaid rent and fees. She talked to her property manager about it, and he told her to talk to the hearing officer. She met with the hearing officer in his office to have an informal grievance hearing. During that meeting, the hearing officer asked her if she was single, and if she would get involved with a married man.

Megan: He tried to look down her shirt. He showed her a pornographic video on his cell phone and asked her explicit sexual questions. He showed her pornographic pictures on his phone. He then began talking about the fees that she owed, and he agreed to remove some of the maintenance charges from her account. He then unzipped his pants and exposed himself to her. He asked her sexually explicit questions about his private parts. He asked if she had any sexually explicit pictures of herself on her phone. Before she left, he told her not to tell anyone about what had happened.

Megan: But she knew it was wrong, and she reported the incident to her property manager. She also reported it to HUD. She also was not the only person who reported to HUD. Another woman had complained to HUD about sexual harassment by the same hearing officer. HUD conducted an investigation, and then the case eventually came to the Department of Justice to file a lawsuit. The Department of Justice filed a lawsuit against the housing authority, and against the employees, and it alleged a pattern or practice of discrimination. We settled that lawsuit for \$360,000, and compensated 14 women who had been victims of harassment.

Megan: The settlement also placed a lot of requirements on the individual defendants, as well as on the housing authority. The individual defendants could not contact or communicate with any of the victims. They also could not work for the housing authority again. One of the individual defendants will never be able to manage rental properties again, and the other two will have to tell future employers in the same industry about the lawsuit. The housing authority also had to establish new procedures for appeals hearings, and it has to tell applicants and residents prior to hearings that they may have an advocate of their choice attend that hearing. We have brought other cases like this where tenants or applicants have been harassed by housing authority employees. We, and HUD will investigate, and when appropriate, file lawsuits when we learn about situations like this one.

Megan: Now I'm going to tell you about a case we brought that involved private housing. Some of the tenants in this case were voucher holders. Encore Management was a company that managed rental housing. Anthony James worked for Encore. He started out as a maintenance man, became a property manager, and eventually became a district manager in that company. He and his wife lived at one of Encore's apartment complexes, and his wife was the on-site

manager. He hired his cousin, Terrell James to be the maintenance worker at that same complex.

Megan: Anthony and Terrell James both sexually harassed tenants at that complex. The specific incidents varied, but both of them made unwanted sexual comments to female tenants, sent them sexual text messages, and asked them to engage in sexual acts. Both men exposed their bodies in a sexual manner to female tenants. Anthony James also entered the homes of at least two female tenants late at night without permission and forced them to have sex with him. Both of these women, and many of the other victims were voucher holders.

Megan: During the lawsuit, one of these women testified about her experiences with Anthony James. I'm going to read you a few excerpts from that woman's testimony. She said, "He had got my phone number from somewhere. He was sending me text messages and, like, trying to get me to let him come to my apartment. He would make comments like, 'are you going to let me come up there and hit it?' And, 'when are you going to let me come up there?' I would make excuses like, you know, my kids were there. I didn't know what to say. I didn't know what to do. I would just make excuses like my kids were there or I had company."

Megan: The night Anthony James sexually assaulted her, she said, "I felt someone staring at me, and when I woke up, he was standing over my bed. I said, 'what are you doing?' He said, 'what do you think I'm doing?' And I said ... I told him I didn't know. I said, 'How did you get in here?' He said, 'I got the key out of the office.'" I'm not going to read the next part of her testimony, but at that point, she went on to describe how Anthony James forced her to have sex with him in her bed.

Megan: This woman never called the police, because she was afraid that he would come back and hurt her or her kids. As she explained, "He had continued to threaten to take my housing and stuff away, and make me lose my apartment to where me and my kids would be homeless if I said anything to anybody, or if ... if I didn't do anything he wanted. He kept asking me like, 'when are you going to let me come up there and hit that again?' Every time I would see him out on the street, he would make comments to me and he would say like, if I didn't that he was going to ... he was threatening to like, make sure that I got write ups, false write ups and stuff to make me lose my apartment."

Megan: Some tenants complained to the property manager, and to the management company, and nothing happened. But eventually, some tenants filed complaints with HUD, and with the state civil rights agency. Then the management company conducted an investigation and fired the three individual defendants. HUD also conducted an investigation and it found additional people who had been harassed. After HUD finished its investigation, this case came to the Department of Justice, and we filed a lawsuit alleging a pattern or practice of discrimination. Encore and the property owner both ultimately decided to settle

the lawsuit. They paid monetary damages to the victims, a total of \$110,000 went to seven women and four children. Encore went out of business, and the properties it used to manage are now managed by an independent company. As to the three individuals, the court awarded the Department of Justice a default judgment and everything that we requested. The court ordered each of them to pay a civil penalty to the United States treasury. \$55,000 for Anthony James, \$30,000 for Terrell James, and \$5,000 for Mrs. James. Anthony and Terrell James are also prohibited from ever managing rental properties again.

Megan: We brought a number of cases like this one, where a landlord, a property manager, or a maintenance person sexual harassed tenants. These lawsuits often involve not just the harassers themselves, but also the companies where they work, and the owners of the property.

Megan: The Department of Justice can also file lawsuits in some circumstances when housing providers fail to protect tenants from harassment by neighbors. For example, the Department of Justice filed a lawsuit against the Boston Housing Authority in 1999. It alleged pervasive and violent harassment of public housing tenants by other public housing tenants and visitors. The harassment included racist graffiti, which the housing authority left up for months, racial slurs, intimidation, crimes against property, and racially motivated violence.

Megan: The lawsuit alleged systematic failure by the housing authority to protect tenants from harassment. It alleged that the housing authority knew of the pervasive harassment, but failed to adequately document, investigate or otherwise respond to or address the problem. More recently, we filed a lawsuit against the [Wheeling Housing Authority because of its failure to protect public housing tenants from racial harassment by other public housing tenants. That case alleged that a white tenant family was harassing a black tenant family. The harassment included verbal abuse, racial slurs, threats, assaults and attempted assaults. The lawsuit alleged the housing authority knew or should've known about the harassment, because the black tenant had made several complaints to the housing authority, and because the housing authority had cameras that they supposedly reviewed, so they would've seen those interactions. The settlements in both of these cases required specific changes to policies to ensure that these types of things would not happen again, as well as the payment of monetary damage to victims. Harassment is not just illegal when it is incredibly severe, like the examples that I have described. The Fair Housing Act also prohibits harassment that is far less shocking. As long as the harassment constitutes an illegal condition on housing, or is severe or pervasive enough to create a hostile environment, it is illegal. If you are harassed, we recommend that you file a Fair Housing Act complaint with HUD within one year of the harassment. You can also report the harassment to the Department of Justice, especially if you know of other people who have been harassed, or if the harassment ended more than a year ago. Contact information for both HUD and the Department of Justice will be provided at the end of this presentation.

Casey: While the cases Megan just described should help give you a sense of how harassers and property owners can be held accountable through the enforcement work of HUD and DOJ, it's also important for you to know about some ways your housing provider can help protect you from harassment in the first place. Before we get to that, let's consider one final scenario involving Tom, who uses a housing choice voucher to rent an apartment. After Tom moves in, Tom's landlord learns that Tom is gay and issues him a notice of eviction.

Casey: Tom's landlord can't do that under HUD's equal access rule, landlords who accept vouchers and have a contract with HUD cannot exclude someone because of his or her actual or perceived sexual orientation, gender identity, or marital status. The equal access rule applies to all HUD programs. That includes the public housing program and both the tenant based and project based voucher programs.

Casey: We've talked about steps you can take to complain about harassment if you experience it or witness it, and we've talked about how HUD and DOJ bring fair housing cases based on harassment complaints. We also want to briefly discuss some actions that your housing provider or property manager should take in order to help prevent discriminatory harassment from happening in the first place.

Casey: Specifically, to protect your right to harassment free housing, public housing agencies and private landlords should have written policies that make clear that harassment by any employee, agent, or tenant, will not be tolerated. They should also take all complaints seriously by investigating allegations and informing you, tenants, about your rights, and taking any corrective actions necessary. They should also provide information to applicants and tenants about their fair housing and equal access rights, and how they can make complaints. Housing providers should also train their staff on how to respond to complaints and help prevent housing harassment. Finally, your landlord should not retaliate against you, and should protect you from retaliation by their agents if you report harassment or make a complaint.

Casey: As promised at several points earlier in our presentation, we want to end by providing you with information on the different ways to file a Fair Housing Act or Equal Access complaint with HUD, and how to let DOJ know about housing harassment that is or has occurred. With regard to Fair Housing Act complaints, they can be filed with HUD through HUD's website at www.hud.gov, or by phone at 1-800-669-9777. Complaints can also be filed with a state or local fair housing agency, and a list of those agencies can also be found on HUD's website.

Casey: In addition to filing a complaint with HUD, victims of harassment can also contact the Department of Justice by emailing fairhousing@usdoj.gov, or by calling 1-844-380-6178.

Casey: And finally, with regard to equal access rule complaints, tenants should contact their local HUD office and the public housing agency that issued their voucher, or where they live in public housing.

Casey: That concludes our presentation. As Alexandria mentioned at the beginning of the training, we invite you to submit questions to hudquestions@hud.gov. HUD will be collecting questions through the end of this training initiative, which would end later this summer, and will be providing written answers that will be posted to HUD's exchange, which is also available through HUD's website. While we can't promise to answer every question we get, we'll certainly be responding to the most frequently asked questions, and we'll do our best to answer as many questions as possible. Thank you very much for participating in today's training. We hope that you've enjoyed it.