

Housing Discrimination Highlights

This update contains revised material for several chapters, including:

- **Chapter 7** dealing with court-recognized techniques for interpreting the Fair Housing Act, particularly those relying on HUD interpretations of the statute in the wake of the demise of the *Chevron* doctrine.
- Coverage of new developments concerning the discriminatory-effect theory of liability under the Fair Housing Act, including new cases involving disparate-impact challenges to landlords' refusal to rent to people who use vouchers or have criminal backgrounds. **See §§ 10:4–10:7.**
- **Chapter 11C** dealing with sex discrimination, including sexual harassment and the Fair Housing Act's coverage of sexual-orientation and gender-identify discrimination.
- **Chapter 11D** dealing with disability discrimination cases (the largest category of Fair Housing Act complaints), particularly those dealing with group homes, reasonable accommodations, and FHA-mandated accessibility features in multifamily housing.
- **Chapter 12A** covering standing-to-sue in fair housing cases, including the latest decisions dealing with the standing of fair housing organizations under *Havens* as refined by the Supreme Court's decision in *FDA v. Alliance for Hippocratic Medicine*.
- **Chapter 12B** dealing with who may be sued for FHA violations, including principals who are responsible for their agents' discrimination and municipalities and their officials accused of exclusionary zoning.
- **Chapter 20** covering cases relating to § 3617-based claims for retaliation and interference with fair housing rights, one of the fastest growing areas of FHA litigation.
- Coverage of the latest developments relating to the FHA's "affirmatively further" mandate that governs HUD-fund recipients and public housing authorities,

including HUD's latest regulatory actions in this area.

See § 21:5.

- **Chapter 31** dealing with pleading, discovery, statutes of limitations, res judicata, and other procedural aspects of fair housing litigation.
- New Westlaw citations for all HUD ALJ decisions cited throughout the book and updated references for government websites that have changed or been deleted in the past year.