



Combating Sexual Harassment in Housing Through Collaboration

APRIL 25, 2018

Today's Speakers

R. Tamar Hagler

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Tamar Hagler is a deputy chief in the Housing and Civil Enforcement Section of the Civil Rights Division of the U.S. Department of Justice. She supervises an active docket of investigations and litigation nationwide, enforcing federal laws prohibiting discrimination in housing, land-use and zoning, public accommodations, and public facilities. Before joining the Civil Rights Division almost 18 years ago, Ms. Hagler served as a law clerk to United States District Judge John Garrett Penn and as a staff attorney in the U.S. Court of Appeals for the Second Circuit. She has served as an adjunct professor at George Washington University Law School, where she taught in the law school's trial advocacy program. Ms. Hagler graduated from George Washington University Law School and received her B.A. in Law and Society, Criminal Justice, from the University of California at Santa Barbara.

Kelly Clarke

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KellyC@legalaidnc.org

Kelly Clarke is the supervising attorney of Legal Aid of North Carolina's Fair Housing Project, North Carolina's only statewide full-service fair housing organization. The project's mission is to eliminate housing discrimination and ensure equal housing opportunity for all North Carolinians through education, outreach, public policy initiatives, advocacy and enforcement.

In her position, which she has held since 2011, Clarke has litigated statewide fair housing cases as lead counsel and co-counsel, and has expertise in cases involving discrimination based on disability and sex. Clarke was Legal Aid's lead attorney in the case of *Sellers, et al v. Southeastern Community and Family Services, Inc., et al*, a groundbreaking sexual harassment case that settled in federal court for \$2.7 million in July 2015. The clients were 16 women who alleged that two employees of a housing authority demanded sex from the women in exchange for facilitating their participation in a federal housing subsidy program. The U.S. Department of Justice, which joined the case to defend the Fair Housing Act, reported that the \$2.7 million settlement was the "largest monetary settlement ever agreed to in a sexual harassment case brought by the Justice Department under the Fair Housing Act."

Prior to joining Legal Aid's Fair Housing Project, Clarke served as a staff attorney in Legal Aid's Raleigh field office from 2004 to 2011. Before that she served briefly as a staff attorney in Legal Aid's Smithfield and New Bern offices. After earning her Juris Doctorate from the University of Denver College of Law in 2001, she clerked for the Hon. W. Earl Britt, Senior U.S. District Court Judge of the Eastern District of North Carolina, in Raleigh.

Before becoming a lawyer, Clarke earned a Master of Arts degree in American Indian studies at the University of Arizona, and a Bachelor of Arts degree in history from Wake Forest University. She is a native of Lee County, North Carolina.

Combating Sexual Harassment in Housing



National Legal Aid & Defender Association
U.S. Department of Justice, Civil Rights Division

Combating Sexual Harassment in Housing

Webinar
April 25, 2018

Webinar



- Recognizing sexual harassment in housing
- DOJ's Sexual Harassment in Housing Initiative
- Legal framework for litigating cases
- Case study
- Opportunities for collaboration

What is sexual harassment in housing?



Common allegations:

- Inappropriate touching/groping
- Sexual comments or advances
- Exposing genitals or other body parts
- Requesting sexual acts in exchange for a place to live, reduced rents, delayed evictions, repairs or other housing benefits
- Taking adverse actions when tenants resisted those sexual overtures

What is sexual harassment in housing?



- Common facts in sexual harassment cases:
 - My landlord requires me to come to his home to pay rent
 - My landlord/maintenance worker comes into my unit unannounced without reason or notice
 - My landlord/maintenance worker is always lurking near my unit
 - My landlord/maintenance worker always comments on my body

Who are the defendants/perpetrators?



- Who are the defendants/perpetrators?
- Landlords
- Building managers or property managers
- Maintenance workers
- Housing authority employees
- Building security guards
- Loan officers

Who are the defendants/perpetrators?



2 Q. What about her that you know makes you think
3 that she would lie?

4 A. She's a renter.

5 Q. What about being a renter makes her more
6 likely to lie?

7 A. They're poorer than most people and they need
8 money worse. A lot of things.

9 Q. Does being poorer than most people make
10 somebody more likely to lie?

11 A. Yes.

12 Q. Why do you think that is?

13 A. If they got everything they need, they don't
14 need to lie.

Who are the aggrieved persons?



- Who are the aggrieved persons?
- Tenants or applicants
- Housing benefit applicants or recipients
- Loan applicants or recipients
- Usually very vulnerable
- Often single mothers with young children
- No where else to go

Who are the aggrieved persons?



25	Q. Did Mr. <input type="text"/> check your credit?	Page 6
1	A. No.	
2	Q. Was that something that appealed to you, that	
3	he wasn't checking your credit?	
4	A. Yeah.	
5	Q. Did Mr. <input type="text"/> require you to pay a full	
6	deposit when you first moved in?	
7	A. No.	
8	Q. Is that something that appealed to you?	
9	A. Yes.	
10	Q. Was money tight for you at that time?	
11	A. Yes.	

Who are the aggrieved persons?



10 Q. Can you describe for me why you had that fear.

11 A. Why I had that fear?

12 Q. Of being homeless.

13 A. Because I wouldn't have any place to go.

d 14 Q. Did you have any alternative housing that you
15 could move to?

, 16 A. No. I was there by myself. My parents were
17 out of town. I was here with just my two kids.

Who are the aggrieved persons?



15 Q. And do you agree with me that you could
16 have left that meeting at any time; correct?

17 A. Yes, sir.

18 Q. And the reason you didn't leave that
19 meeting was why?

20 A. Because my kids are way more important,
21 so I figured I had to do it to get a roof over my
22 kids' head no matter what the circumstances was at
23 the time.

Enforcement Under the Fair Housing Act



Sexual harassment is
sex discrimination
under the Fair Housing Act

Legal Framework



Quid pro quo

Hostile housing environment

Quid pro quo



- Unwelcome request or demand to engage in sexual conduct
- Submission to request or demand implicitly or explicitly is made a condition related to tangible housing benefits
- Even if person acquiesces

Sexual Harassment in Housing: Quid Pro Quo



17 Q. Did he say to you that if you did these things
18 he would reduce the rent?

19 A. Yes.

20 Q. And did he tell you how much he would reduce
21 the rent?

22 A. \$200 off the rent.

23 Q. Did he ever threaten to evict you if you did
24 not have sex with him?

25 A. Yeah. I think that's why he evicted me

Sexual Harassment in Housing: Quid Pro Quo



1 Q. He called and left messages asking about the
2 rent?

3 A. Yeah.

4 Q. And you called him back. Do you remember that
5 phone conversation?

6 A. Yeah. I told him I was short on my rent.

7 Q. What did he say?

8 A. He said that I knew how to fix that.

9 Q. Did he say anything other than, you know how
10 to fix that?

11 A. Yeah. For me to come over there so we could
12 talk about it.

Sexual Harassment in Housing: Quid Pro Quo



8 Q. And you were stalling for what? Why were you
9 stalling?

10 A. Because the reason I was going over there was
11 to let him touch me because that was -- that's what he
12 meant when he said, you know how we can fix that.

13 Q. So when you went over there, you thought you
14 were going to let him touch you --

15 A. Yeah.

16 Q. -- in order to get a reduction in the rent?

17 A. Yeah.

18 Q. That's what he had asked for before then?

19 A. Yeah. But he wanted sex. That's where it was
20 leading. He had already said prior -- he had already
21 said sexual things to me.

Hostile Environment



- Unwelcome conduct that is sufficiently ***severe or pervasive*** as to interfere with the use or enjoyment of a dwelling
- Does not require change in tangible benefits
- Totality of the circumstances test

Hostile Environment



- The harm caused by sexual harassment in one's home is unique.
 - “We emphasize that Winter subjected Quigley to these unwanted interactions in her own home, a place where Quigley was entitled to feel safe and secure and need not flee, which makes Winter's conduct even more egregious.” *Quigley v. Winter*, 598 F.3d 938, 947 (8th Cir. 2010).

Sexual Harassment: Hostile Environment



21 A The comments that he would make about how nice my ass was. He would say things like, you
22 know, I think you have the best looking ass on the Upper West Side. He would say that I have really juicy
23 lips and he loves to watch my mouth when I talk. That I was a really pretty girl and if I wanted to strip on the
24 pole I would make a lot of money. And this would just be the most random conversations. I mean, any
2 interaction he had with me at all, if I responded to him, even just saying hi, bye, it would be something.

3 Q So, he made these comments every time you saw him?

4 A Yeah, every time there was some sort of, you know, sexual undertone. Whether it would be a look, a
5 gesture, a touch or something he said.

Sexual Harassment: Hostile Environment



4 Q. On how many occasions approximately would you
5 say that Mr. [REDACTED] offered you a hundred dollars for
6 photographs of your breasts?

7 A. Every time he seen me. About 25 to 30. Every
8 time he seen me, he wanted to take a picture.

9 Q. Are you saying 25 to 30 times?

10 A. Yes.

11 Q. Did he make this offer of a hundred dollars in
12 connection with that each time?

13 A. Yes.

14 Once he made an offer of giving me my whole
15 rent back.

DOJ's Initiative – Nationwide Launch



POLITICS APRIL 12, 2018 / 12:10 PM / UPDATED 19 HOURS AGO

U.S. launches crackdown on sexual harassment in housing

Sarah N. Lynch

4 MIN READ



WASHINGTON (Reuters) - The Trump administration announced a nationwide initiative to combat sexual harassment of women by landlords and employers, the U.S. Department of Housing and Urban Development said.

REAL-TIME NEWS FROM AL.COM

DOJ announces initiative to combat sexual harassment in housing



Feds form task force to combat sexual harassment in housing

BY JULIA MANCHESTER - 04/12/18 04:20 PM EDT

2 SHARES

SHARE

TWEET

PLUS ONE

DOJ's Initiative – Nationwide Launch



Justice Department ✓

@TheJusticeDept

Follow



The Justice Department is working hard to combat sexual harassment in housing. Learn more about the initiative here:

[justice.gov/crt/sexual-har ...](https://justice.gov/crt/sexual-har)



**You should never
have to choose
between housing
and sexual
harassment.**

1-844-380-6178 fairhousing@usdoj.gov



12:28 PM - 12 Apr 2018

“Sexual harassment in housing is illegal, immoral, and unacceptable. It is all too common today, as too many landlords, managers, and their employees attempt to prey on vulnerable women. We will not hesitate to pursue these predators and enforce the law.”

Attorney General Sessions
April 12, 2018

Enforcement Under the Fair Housing Act



- Private Enforcement
- DOJ's jurisdiction
- Statutes of Limitation - DOJ

Options for Private Enforcement



- HUD –Administrative Complaint
 - Within one year of an alleged discriminatory housing practice occurring or terminating
 - 42 U.S.C. § 3610(a)
- Federal Court
 - Within two years of the occurrence or the termination of an alleged discriminatory housing practice
 - 42 U.S.C. § 3613(a)

Southeastern Community and Family Services



A woman's choice - sexual favours or lose her home

By Jessica Lussenhop
BBC News, North Carolina

🕒 11 January 2018



Across the US, sexual harassment at the hands of landlords, property managers and others in the housing industry can drive poor women and their children into homelessness. It is a problem badly understood and virtually unstudied.

Southeastern Community and Family Services



- Who were the women?
- How did the case arrive at Legal Aid of North Carolina?
- What did we do?

Southeastern Community and Family Services



UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF NORTH CAROLINA

KHRISTEN SELLERS, ALFREDA
CROWDER, LATOYA HASTY,
SHANNON BASS, ANGELA
ALLBROOKS, LATINA
COVINGTON, JUDY MCKOY,
ANGELA MOOREHOUS, MELISSA
BASS, CHRISTY LEVINER, LAURA
MONLEY, CANDACE STEWART,
JESSICA ELVIS, SHELBY FARRIS, and
SAMANTHA OXENDINE,

Plaintiffs,

v.

JOHN WESLEY, ERIC PENDER, and
SOUTHEASTERN COMMUNITY
AND FAMILY SERVICES, INC.

Case No. 1:14-cv-422

Southeastern Community and Family Services



- Who were the women?
- How did the case arrive at Legal Aid of North Carolina?
- What did we do?
- **Discussions with DOJ – when and why?**
 - Be mindful of common interest privilege

Southeastern Community and Family Services



IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

UNITED STATES OF AMERICA,)
)
 Plaintiff,)
)
 v.)
)
JOHN WESLEY, et al.,)
)
 Defendants.)

1:14-CV-1032

KHRISTEN SELLERS, et al.,)
)
 Plaintiffs,)
)
 v.)
)
SOUTHEASTERN COMMUNITY)
AND FAMILY SERVICES, INC., et al.,)
)
 Defendants.)

1:14-CV-422

ORDER

For the reasons stated by the Magistrate Judge, it is **ORDERED** that the Motion of the United States (14cv422: Doc. 81; 14cv1032: Doc. 2) to Consolidate these two cases is **GRANTED**, and they shall be and are consolidated for discovery and trial.

This the 16th day of June, 2015.

Southeastern Community and Family Services



THE LAURINBURG
EXCHANGE

Harassment suit settled for \$2.7M

July 1, 2015 Laurinburg Exchange News 0



LAURINBURG —The former Four County Community Services will pay a \$2.7 million settlement to more than a dozen women who accused two agency employees of demanding sexual favors in exchange for federal housing.

Legal Aid of North Carolina



Screening at Intake

Enforcement Under the Fair Housing Act



- Private Enforcement
- DOJ's jurisdiction
- Statutes of Limitation - DOJ

Enforcement Under the Fair Housing Act



- Private Enforcement
- DOJ's jurisdiction
- Statutes of Limitation - DOJ

DOJ Statutes of Limitation



- Damages
 - Three years
 - ✦ From when relevant official has cause to believe that defendant was engaged in a pattern or practice of housing discrimination
 - 28 U.S.C. § 2415(b), 2416(c)
- Civil Penalty
 - Five years
 - 28 U.S.C. § 2462
- Injunctive Relief
 - No SOL

Identifying, Investigating, and Litigating



- Where is this happening?
- How are cases litigated?
- How are cases resolved?



Identifying, Investigating, and Litigating



- Where is this happening?
- How are cases litigated?
- How are cases resolved?

The Complaint



Case 5:18-cv-00440-DNH-TWD Document 1 Filed 04/11/18 Page 1 of 10

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

Plaintiff,

v.

DOUGLAS S. WATERBURY,
CAROL A. WATERBURY,
E&A MANAGEMENT CO., and
ONTARIO REALTY, INCORPORATED,

Defendants.

COMPLAINT

5:18-CV-440[DNH/TWD]

COMPLAINT

The United States of America alleges as follows:

1. The United States brings this action to enforce the provision of the Civil Rights Act of 1968, as amended, 42 U.S.C. §§ 3601, *et seq.* ("Fair Housing Act").

JURISDICTION AND VENUE

2. This Court has jurisdiction over this action under 28 U.S.C. §§ 1331 and 2202, and 42 U.S.C. § 3614(a).

3. Venue is proper in this district under 28 U.S.C. § 1391(b) because the omissions giving rise to the United States' allegations occurred in the Northern District of New York, and the Defendants reside or do business in the Northern District of New York.

FACTUAL ALLEGATIONS

4. Defendant Douglas S. Waterbury is a resident of Oswego, New York. Douglas Waterbury personally owns and manages residential properties throughout the town of Oswego, New York.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

Plaintiff,

v.

DOUGLAS S. WATERBURY,
CAROL A. WATERBURY,
E&A MANAGEMENT CO., and
ONTARIO REALTY, INCORPORATED,

Defendants.

COMPLAINT

5:18-CV-440[DNH/TWD]

COMPLAINT

Protective Order



7	UNITED STATES DISTRICT COURT		
8	EASTERN DISTRICT OF CALIFORNIA		
9	FRESNO DIVISION		
10	CARRIE HAWECKER and MICHELLE)	
11	BROUSSARD, individually and on behalf of a)	
12	class of similarly situated persons;)	
13	Plaintiffs,)	Case No. 1:10-cv-00085-OWW-JLT
14	vs.)	
15	RAWLAND LEON SORENSEN,)	
16	Defendant.)	
17	_____		
18	UNITED STATES OF AMERICA,)	
19	Plaintiff,)	
20	v.)	Case No. 1:11-cv-00511-OWW-JLT
21	RAWLAND LEON SORENSEN,)	
22	Defendant.)	CONFIDENTIALITY
23)	AGREEMENT AND PROTECTIVE
24)	ORDER
25	<u>CONFIDENTIALITY AGREEMENT AND PROTECTIVE ORDER</u>		
26	This is a joint agreement between the Plaintiffs in <i>Hawecker, et al. v. Sorensen</i> , No. 1:10-		
27			

Protective Order



14 It is hereby ordered that:

15
16 **I. Contact Between the Defendant and Private Plaintiffs, Witnesses, or “Aggrieved
Persons”**

17 1. The Defendant and his agents, employees, or anyone operating on his behalf or at
18 his direction (excluding counsel of record and their employees) shall not contact or attempt to
19 contact the Private Plaintiffs, their identified witnesses, or any persons identified by the United
20 States, whether in its initial disclosures or other discovery responses, as victims of or witnesses
21 to the Defendant’s alleged discriminatory housing practices. For any such victims or witnesses
22 who are currently tenants at the Defendant’s rental properties, the Defendant may contact such
23 individuals for routine matters related to their tenancy, such as general notices sent to all tenants,
24 maintenance calls, and unit inspections.
25
26

Identifying, Investigating, and Litigating



- Where is this happening?
- How are cases litigated?
- How are cases resolved?

Damages and Civil Penalty



United States v. Hezekiah Webb & Jameseva Webb, No. 4:16-cv-01400-SNLJ (E.D. Mo.)

SETTLEMENT AGREEMENT

between

THE UNITED STATES OF AMERICA

and

HEZEKIAH WEBB and JAMESEVA WEBB

D. Compensation of Aggrieved Persons

19. Within twenty (20) days of the Effective Date of this Agreement, Defendants will pay a total of \$600,000 to the aggrieved persons identified by the United States and listed in Attachment B, by Defendants delivering to counsel for the United States, by overnight mail, checks payable to each aggrieved person in the amount specified in Attachment B.

E. Civil Penalty

21. Within 10 days of the Effective Date of this Agreement and upon the United States delivering written instructions for the below electronic fund transfer, Defendants will pay \$25,000 to the United States Treasury as a civil penalty pursuant to 42 U.S.C. § 3614(d)(1)(C) to vindicate the public interest. The payment will be in the form of an electronic fund transfer pursuant to written instructions to be provided by the United States.

Injunctive Relief



UNITED STATES OF AMERICA,

Plaintiff,

v.

FRANK DAVID TJOELKER,

Defendant.

Case 1:17-cv-00883 ECF No. 1 filed 10/03/17 PageID.1 Page 1 of 6

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN

SETTLEMENT AGREEMENT
BETWEEN THE UNITED STATES OF AMERICA
AND FRANK TJOELKER

A. Property Management Responsibilities at Subject Properties

12. The Defendant shall be permanently prohibited from directly or indirectly performing any Property Management Responsibilities¹ at any of the Subject Properties² or at any other residential rental property.

Injunctive Relief



13. Should Defendant continue to own the Subject Properties, within no more than fifteen (15) days of the effective date of this Agreement, Defendant shall retain an Independent Manager, approved in writing by the United States, to perform all Property Management Responsibilities at the Subject Properties. An “Independent Manager” is a person who is experienced in managing residential rental properties and who has no current or past employment,

Independent Manager

21. The Defendant shall be prohibited from purposefully or knowingly initiating contact or communications, either directly or indirectly, with any person identified as an aggrieved person by the United States in this litigation. “Contact or communications” includes, but is not limited to, physical contact, verbal contact, telephone calls, e-mails, faxes, written communications, text or instant messages, contacts through social media, or other communication with the protected person(s) through third parties.

“No Contact”


Sexual Harassment in Housing Initiative



SEXUAL HARASSMENT IN HOUSING INITIATIVE - HOW TO REPORT

Call the Sexual Harassment in Housing Initiative at 1-844-380-6178.

Report Sexual Harassment in Housing 

Send an **email**  describing your experience or the experience of someone you know to the Sexual Harassment in Housing Initiative. You can give as much or as little information as you like. If you provide a phone number, we will call you back.

Sexual Harassment in Housing Initiative



SEXUAL HARASSMENT IN HOUSING INITIATIVE - RESOURCES

Here are some additional resources that you can use to learn more about DOJ's work against sexual harassment in housing and to help tell others. Below each image are links to view or download the resource in different languages:



**You should never
have to choose
between housing
and sexual
harassment.**

1-844-380-6178 fairhousing@usdoj.gov



If anyone with control over your **housing**: commented on your body, talked about sex, showed you pornography, exposed self, asked for sexual favors in exchange for rent, threatened your eviction unless you had sex, or touched you without consent, **this may be sexual harassment.**

Even if you said "yes," have a criminal history, have been evicted, or were behind on rent.

Contact the **Civil Rights Division**, U.S. Department of Justice.

[www.justice.gov/crt/
sexual-harassment-
housing-initiative](http://www.justice.gov/crt/sexual-harassment-housing-initiative)

fairhousing@usdoj.gov

1-844-380-6178

202-305-1882 (TTY)

Sexual Harassment in Housing Initiative



Sexual Harassment is Illegal. Fair Housing is Your Right.

**You should never have to choose between
your home and being sexually harassed.**

If your landlord, rental manager, or anyone else with control over your housing:



Commented on
your body or looks



Threatened to
evict you unless
you had sex



Touched you
without your
consent



Asked for sexual
favors in exchange
for renting to you



Asked for sexual
photos of you before
making repairs



Talked about sex,
showed you porn,
exposed self

**Even if you said "yes."
Even if you have a criminal history.
Even if you have been evicted.
Even if you were behind on your rent.**

This may be sexual harassment.

**Contact the U.S. Department of Justice, Civil Rights Division.
You can reach us by email at fairhousing@usdoj.gov.
You can call us at 1-844-380-6178. TTY: 202-305-1882**



SEXUAL HARASSMENT IS ILLEGAL. FAIR HOUSING IS YOUR RIGHT.

You should never have to choose between *your home* and being *sexually harassed*.

If your landlord, rental manager, or anyone else with control over your housing:

- Commented on your body or looks
- Talked about sex, showed you pornography, exposed self
- Asked for sexual favors in exchange for renting to you
- Threatened to evict you if you won't engage in sexual acts
- Asked for sexual photos of you before making repairs
- Touched you without your consent

You may be experiencing sexual harassment.

**Even if you said "yes."
Even if you have a criminal history.
Even if you have been evicted.
Even if you were behind on your rent.**

Contact the U.S. Department of Justice, Civil Rights Division.

You can reach us by email at fairhousing@usdoj.gov.
You can call us at 1-844-380-6178. TTY: 202-305-1882.



Intake and Referral Resources



DOJ's Initiative to Combat Sexual Harassment in Housing

Sexual harassment in housing is sex discrimination under the Fair Housing Act, but many people do not know this conduct is illegal or that the U.S. Department of Justice (DOJ) investigates these cases. Individuals may also be reluctant to report the conduct. DOJ's initiative seeks to help residents or applicants experiencing harassment, and those who encounter people experiencing harassment, to quickly and easily connect with DOJ.



What does sexual harassment in housing look like?

Who might be a victim?

- Applicants
- Tenants
- Housing benefit applicants or recipients
- Loan applicants or recipients

Who might be a harasser?

- Landlords
- Building or property managers
- Maintenance workers
- Housing authority employees
- Building security guards
- Loan officers

What are typical behaviors that might indicate sexual harassment in housing?

- Commenting on victim's body or looks
- Sending sexually suggestive text messages to victim
- Lurking or spying on victim
- Exposing self to victim, showing victim pornography, talking about sex with victim
- Entering victim's home unannounced, without notice or legitimate reason for doing so
- Touching victim without consent
- Conditioning certain housing benefits – for example, renting to the victim, making repairs, excusing a late rent payment – on receipt of sexual favors, including engaging in sexual acts, taking pictures of victim
- Threatening to evict victim if they do not engage in sexual acts or favors

*These behaviors may constitute sexual harassment even if the victim said "yes", was behind on rent, or has a poor rental or criminal history.

What questions could I ask to identify sexual harassment in housing?

- Do you feel safe in your current housing situation?
- If you were denied housing or housing benefits, including eviction, what was the reason given to you for the denial? Why do you think you were denied the benefit/housing?
- Is there anything else about your interactions with your housing provider that you think I should know?
- Has your housing provider ever made advances towards you, touched you, etc.?

Revised 1/23/18

When, why and how to contact DOJ?

- DOJ enforces federal laws that prohibit sexual harassment in housing.
 - DOJ can bring cases in federal court when a pattern or practice of discrimination has been identified – when one victim has experienced sexual harassment in housing there are usually additional victims.
 - Even if the conduct happened a long time ago, DOJ may still be able to take action.
- You should contact DOJ (or refer the victim to contact DOJ) anytime you hear or receive a complaint of sexual harassment in housing, as soon as you hear or receive that complaint.
 - Email: fairhousing@usdoj.gov
 - Phone: 1-844-380-6178
- Federal law prohibits retaliation against any person exercising their fair housing rights.

What will happen after DOJ is contacted?

- DOJ may or may not open an investigation. Even if DOJ can take action, it won't be immediate. You should continue your involvement with the victim.
- DOJ will likely want to talk with the victim and hear their story.
- If DOJ brings a lawsuit, the United States, not the victim, would be the plaintiff. However, DOJ may be able to seek relief on the victim's behalf.
- If you are a legal services provider representing the victim in another legal proceeding, be mindful not to have your client enter into broad release that may affect a potential sexual harassment claim.

Revised 1/23/18

Opportunities for Collaboration



- Education and outreach
- Referrals
- Counsel in related or consolidated cases



Opportunities for Collaboration



- Post-recovery collaboration – what might that look like?

- Impact on public benefits

- Eviction records

8	XL. VACATION OF EVICTION JUDGMENTS	
9	48.	Within seven (7) days of a request by the United States, the Defendant will execute and
10		cooperate fully in the completion and filing of any and all necessary documents to vacate
11		eviction and related judgments and/or strike unlawful detainer complaints filed or entered
12		against the Private Plaintiffs and all aggrieved persons identified by the United States,
13		including but not limited to the case numbers identified in Appendix I. The Defendant
14		shall execute and cooperate fully in the filing of any and all motions, affidavits, notices of
15		non-opposition, notices of joinder, or other filings that may be required. The cooperation
16		required by this paragraph includes any necessary court appearance(s) in Kern County
17		Superior Court. The cooperation required by this paragraph also includes the execution
18		of any and all documents required to remove information regarding an eviction judgment
19		obtained by the Defendant from any credit reporting agency.
20		
21		

DOJ – Civil Rights Division



Contact us!

- Email: fairhousing@usdoj.gov
- Phone: 1-844-380-6178
- <https://www.justice.gov/crt/sexual-harassment-housing-initiative> (English)
- <https://www.justice.gov/crt-espanol/iniciativa-en-contra-del-acoso-sexual-en-la-vivienda> (Spanish)

Thank you!



R. Tamar Hagler

Deputy Chief

Civil Rights Division, U.S. Department of Justice

Tamar.Hagler@usdoj.gov

Kelly Clarke

Supervising Attorney

Fair Housing Project - Legal Aid of North Carolina, Inc.

KellyC@legalaidnc.org

U.S. Department of Justice



Q & A Section



For More Information

R. Tamar Hagler

Deputy Chief, Housing and Civil Enforcement Section
Civil Rights Division, U.S. Department of Justice

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Thank you!

