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Ashley Butler and the Fair Housing Partnership conciliate housing discrimination complaint based on landlord's alleged failure to permit early lease termination without penalty in the face of domestic violence and stalking in the home.

PENNSYLVANIA –Ashley Butler and the Fair Housing Partnership of Greater Pittsburgh (FHP), represented by the Community Justice Project, have conciliated a resolution of their federal Fair Housing Act litigation with Sundo Capital, LLC, Michael Sundo, and Sladack Holdings, LLP.

As alleged in the complaint, the litigation arose from the landlord's refusal to permit Ms. Butler to terminate her lease and relocate without penalty after Ms. Butler informed her landlord that repeated occurrences of intimate partner violence and stalking had caused her to fear for her safety in the home. The landlord sought to dismiss the case, arguing, among other things, that the Fair Housing Act did not apply to the situation.

On September 10, 2021, Judge J. Nicholas Ranjan denied the landlord's Motion to Dismiss on all counts. Subsequently, the parties negotiated a settlement.

Under the settlement, a new lease provision will be added to all of the landlord's leases that expressly allows survivors of domestic violence to terminate their lease to flee abuse without penalty or liability, including liability for property damage inflicted by the abuser. The settlement also provides for fair housing training for all employees and agents of the landlord who directly participate in the management or operation of the rental business, as well as \$12,500 in financial compensation.

Ms. Butler describes her experience: "After violating his PFA, my ex-husband stalked me at home and on the way to and from work and at work. He proceeded to steal my mail. Eventually, I could no longer live with the fear that he would attack me again, and I fled the home with my 3 children." She continues that, "Victims of domestic violence should not have to battle with their landlords while they're already in one of one of the worst battles of their life."

In the United States, the vast majority of victims of domestic violence, abuse and stalking are women. Accordingly, as found by the U.S. Department of Housing and Urban Development (HUD), the agency responsible for interpreting and implementing the Fair Housing Act, housing policies and practices that disproportionately harm victims of domestic violence violate the sex discrimination provisions of the Fair Housing Act. *See Assessing Claims of Housing Discrimination against Victims of Domestic Violence under the Fair Housing Act (FHA) and the Violence against Women Act (VAWA)* (2011), available at <https://www.hud.gov/sites/documents/FHEODOMESTICVIOLGUIDENG.PDF>.

“Housing protections for survivors of domestic violence need to be strengthened,” says Megan Confer-Hammond, FHP’s executive director, “by being made explicit. While this litigation and its conciliation terms set a precedent for applying our fair housing laws to protect survivors of domestic violence, and while we are hopeful that Pennsylvania landlords will learn from this case and voluntarily adopt similar lease provisions. Pennsylvania’s General Assembly has the authority to enact explicit protections for survivors who rent, so that survivors do not feel forced to choose between their physical safety and their economic wellbeing.”

The litigation was following an investigation by the Pennsylvania Human Relations Commission. “The Pennsylvania Human Relations Commission stands strong in its belief that citizens of the Commonwealth should be protected from discrimination in all of its forms, particularly when it puts them in personal danger, as is the case with domestic violence,” PHRC Executive Director Chad Dion Lassiter, MSW said. “We are encouraged by Judge Ranjan’s decision to deny the motion to dismiss this case and with the ensuing settlement and will steadfastly join in the efforts to strengthen fair housing protections and amend lease language for all Pennsylvanian survivors of domestic violence who rent.”

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Founded in 1984, The Fair Housing Partnership is a full-service fair housing agency dedicated to ensuring equal housing choice through education, fair housing analysis, enforcement, outreach and community organizing in western Pennsylvania.

The Community Justice project provides non-profit legal assistance in Pennsylvania that engages in class action litigation, administrative law, legislative advocacy, and other forms of impact litigation to help create positive change for low-income residents of Pennsylvania.

The Pennsylvania Human Relations Commission promotes equal opportunity for all and enforces Pennsylvania’s civil rights laws that protect people from unlawful discrimination.