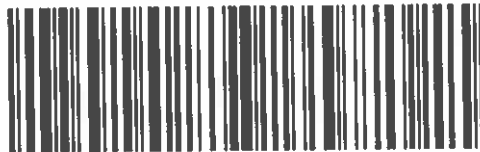


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IMPORTANT HUD NOTICE



DENTON HOUSING AUTHORITY
1225 WILSON ST
DENTON TX 76205-6255





U.S. Department of Housing and Urban Development
Fort Worth Regional Office, Region VI
Office of Fair Housing & Equal Opportunity
307 W. 7th Street, Suite 1000
Fort Worth, TX 76102
Phone: 1-888-560-8913 Fax: 817 978-5876

July 28, 2022

Denton Housing Authority
1225 Wilson
Denton, TX 76205

Dear Complainant:

Subject: Housing Discrimination Complaint
Denton Housing Authority v. Providence Homeowners Association Inc. et al.
Inquiry No. 689361
Fair Housing Act Case No. 06-22-4669-8

Your complaint, alleging one or more discriminatory housing practices, was officially filed on July 27, 2022 as a complaint under the Fair Housing Act, 42 U.S.C. Sections 3601-3619. The Fair Housing Act prohibits discrimination in housing because of race, color, religion, national origin, sex (including gender identity and sexual orientation), familial status and disability. For your records, we are enclosing a copy of your complaint, and, as required by law, a copy has been sent to the respondent(s).

The purpose of this letter is to inform you of: 1) the rights you have during the processing of this complaint, 2) the rights each respondent has in responding to this complaint, and 3) the steps the U.S. Department of Housing and Urban Development (the Department) will take to determine whether the complaint has merit.

In order to ensure that the Department informs you properly of the law's requirements, this notification letter contains language required by the law. A similar letter is used to notify all parties whenever a formal complaint has been filed with the Department under the Fair Housing Act.

The Fair Housing Act and its regulations set out what steps we must take when a formal complaint is filed. The law also includes steps that each respondent can take to answer or refute the allegations of this complaint.

A respondent can file an answer to this complaint, or any amendment made to this complaint within 10 calendar days of receipt of the Department's notification letter to him or her. Each respondent's answer must be signed and affirmed that the response is truthful by including the



statement "I declare under penalty of perjury that the foregoing is true and correct." A respondent can, with the agreement of the Department, amend his or her answer at any time during the investigation.

Our responsibility under the law is to undertake an impartial investigation and, at the same time, encourage all sides to reach an agreement to resolve the complaint, where appropriate, through conciliation. The law requires us to complete our investigation within 100 days of the date of the official filing of the complaint. If we are unable to meet the 100-day requirement for issuing a determination, the law requires that we notify you and the respondent(s) and explain the reasons why the investigation of the complaint is not completed.

In handling this complaint, we will conduct an impartial investigation of all claims that the Fair Housing Act has been violated. If the investigation indicates that there is no jurisdiction for HUD to accept the complaint, the case will be dismissed. At any point, you can request that our staff assist you in conciliating (or settling) this complaint with the respondent(s). If the case is not resolved, we will complete our investigation and decide whether or not the evidence indicates that there has been a fair housing violation. If the parties involved have not reached an agreement to settle the complaint, the Department will issue a determination as to whether or not there is reasonable cause to believe a discriminatory housing practice has occurred.

If our investigation indicates that there is reasonable cause to believe that an unlawful discriminatory housing practice has occurred, the Department must issue a charge. If the investigation indicates there is no reasonable cause to believe that discrimination has occurred, the complaint will be dismissed. In either event, you will be notified in writing.

If the determination is one of reasonable cause, the notification will advise you and the respondent(s) of your rights to choose, within 20 days, whether you wish to have the case heard by an Administrative Law Judge, or to have the matter referred for trial in the appropriate U.S. District Court.

Even if the Department dismisses the complaint, you still have the right to bring an individual suit under the Fair Housing Act. You may file your lawsuit in an appropriate federal, state or local court within two years of the date of the alleged discriminatory practice or of the date when a conciliation agreement has been violated. This two-year period does not include any of the time when your complaint is pending with the Department. You also have the legal right to file a lawsuit in court, even if your complaint formed the basis for a charge, as long as an Administrative Law Judge has not started a hearing on the record with respect to the charge.

There may be other applicable federal, state or local statutes under which you and/or the respondent(s) may initiate court action. You may consult a private attorney in this regard.

The law also requires us to notify you that section 818 of the Fair Housing Act makes it unlawful for a respondent or anyone else to coerce, intimidate, threaten, or interfere with you in your exercise or enjoyment of, any right granted or protected under the Fair Housing Act. The law also makes it illegal for anyone to coerce, threaten or interfere with you for your having aided or encouraged any other person in the exercise or enjoyment of, any right or protection granted to them under the Fair Housing Act.



If you have any questions regarding this case please contact the point of contact listed below for assistance. Please refer to the case number at the top of this letter in those contacts, and keep this office advised of any change of your address or telephone number. We hope this information has been helpful to you.

Sincerely,



Christina Lewis, Director
Fort Worth Regional Office of
Fair Housing and Equal Opportunity
Region VI

Enclosures

cc: Sherri McDade, Chief Executive Officer
1225 Wilson
Denton, TX 76205

Kristin English, Deputy Chief Executive Officer
1225 Wilson
Denton, TX 76205

LeMaya Woods, Director of HCV
1225 Wilson
Denton, TX 76205



Housing Discrimination Complaint

Case Number:

1. Complainants:

Denton Housing Authority

1225 Wilson

Denton, TX 76205

Represented By: Sherri McDade, Chief Executive Officer (Denton Housing Authority),

Kristin English, Deputy Chief Executive Officer (Denton Housing Authority), LeMaya

Woods, Director of HCV (Denton Housing Authority)

2. Complainant Representatives:

Sherri McDade, Chief Executive Officer

Denton Housing Authority

1225 Wilson

Denton, TX 76205

Representing: Denton Housing Authority

Kristin English, Deputy Chief Executive Officer

Denton Housing Authority

1225 Wilson

Denton, TX 76205

Representing: Denton Housing Authority

LeMaya Woods, Director of HCV

Denton Housing Authority

1225 Wilson

Denton, TX 76205

Representing: Denton Housing Authority

3. Other Aggrieved Parties:

None

4. The following is alleged to have occurred or is about to occur:

- Discriminatory refusal to rent
- Discriminatory terms, conditions, privileges, or services and facilities
- Otherwise deny or make housing unavailable



5. The alleged violation occurred because of:

- Race
- National Origin
- Familial Status
- Disability

6. Address and location of the property in question (or if no property is involved, the city and state where the discrimination occurred):

809 Oakcrest Drive
Providence Village, TX 76227

7. Respondents:

Providence Homeowner Association
809 Oakcrest Drive
Providence Village, TX 76227

FirstService Residential, Management Company
14951 N. Dallas Pwky, Ste 600
Dallas, TX 75254

8. The following is a brief and concise statement of the facts regarding the alleged violation:

Complainant, Denton Housing Authority (DHA), was formed in 1970 to address the housing needs of low-income families in the city of Denton, Texas. Currently, it administers the Section 8 Housing Choice Voucher Program and operates and manages several clusters of rental apartments. DHA's mission is to promote and create suitable and affordable housing for its clients to enhance their quality of life and develop innovative programs that will encourage economic independence for people involved in its housing programs. Due to the population it serves, Complainant services clients who are members of such protected groups as race, color, national origin, sex, disability, familial status (i.e., having children under 18 in a household, including pregnant women), and religion.

In order to take full advantage of housing in the Denton area, it is DHA's policy to recruit and retain owners and landlords of suitable units to participate in DHA's programs. In support of this policy, DHA conducts monthly landlord forums in which it continues to educate current landlords and educates potential and future landlords of the benefits of DHA's programs. In addition to the monthly forums, DHA provides internet access on its website to landlords and facilitates payments to landlords for clients who participate in the housing assistance program.



DHA provides a briefing to answer questions and discuss the move process. To assist in their search, families are provided a map of Denton County, a list of prospective landlords and properties who currently work with DHA, and a Payment Standard listing all zip codes in its area (Denton County). Families are also issued a new voucher and reminded of their obligations.

The negative financial impact on DHA because of client moves is substantial, and Respondents seek to exclude all DHA recipients from living in their housing. Complainant contends DHA would have to recruit new landlords in this area to enable families to stay in the same school attendance zones. This will be difficult because the family sizes range from 2-person households to ten persons per household (including children). These families would have to be issued new vouchers, re-briefed, assisted in new housing search, units would need inspection, re-calculations of tenant rent and HAP (Housing Assistance Payments), and provide new HAP Contracts. Families will not be able to lease quickly. DHA will lose administrative fees for each month the family is not under a HAP contract.

Eighty-one families have moved into this Respondent's neighborhood since 2012. Currently DHA pays about \$175,942 each month in HAP to sixty-three property owners/managers.

DHA earns administrative fees for each family under lease of approximately \$6,531/family/month. These fees pay for the administration and operation of the program.

DHA estimates their cost to relocate a family to be approximately \$1,000-1,500/family and could take up to six months.

Complainant contends if Respondent is allowed to continue to discriminate against its client pool, such discrimination will cost Complainant time, money, effort, and loss of affordable housing for its programs, which Complainant contends will cause it irreparable harm. Complainant alleges the makeup of its 81 families residing in the Respondent's neighborhood is 30% disabled, 91% Black or African American, 4% Hispanic, and 61% families with children under 18 years of age. Complainant contends Respondents' policy has an adverse impact on these protected groups.

Complainant contends in order to pursue this Fair Housing complaint. Respondents have forced Complainant to divert its resources to activities with regard to this complaint and has had its purpose frustrated from providing affordable housing to engaging in this complaint of discrimination.

Complainant believes Respondent has subjected it to discrimination on the bases of disability, race, familial status and national origin.



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9. The most recent date on which the alleged discrimination occurred:

June 06, 2022, and is continuing.

10. Types of Federal Funding Identified:**11. The acts alleged in this complaint, if proven, may constitute a violation of the following sections:**

804(a) or (f), 804(b) or (f), and 804(a) of Title VIII of the Civil Rights Act of 1968 as amended by the Fair Housing Act of 1988.

Please sign and date this form:**I declare under penalty of perjury that I have read this complaint (including any attachments) and that it is true and correct.**Sherni McDade, Chief Executive Officer 2022

Date

NOTE: HUD WILL FURNISH A COPY OF THIS COMPLAINT TO THE PERSON OR ORGANIZATION AGAINST WHOM IT IS FILED.