

Mayor and Council Communication

DATE: 11/09/21

M&C FILE NUMBER: M&C 21-0837

LOG NAME: 08FHAP SETTLEMENT

SUBJECT

(ALL) Authorize Acceptance of a \$10,000.00 Fair Housing Civil Penalty Payment in Settlement of the Lawsuit Entitled City of Fort Worth vs. BJR Investments LLC, Roberts Realty Advisors, Inc., and Billy Jay Roberts to Vindicate Public Interest and Affirmatively Further Fair Housing and Adopt Attached Appropriation Ordinance

RECOMMENDATION:

It is recommended that the City Council:

1. Authorize acceptance of a \$10,000.00 Fair Housing Civil Penalty Payment in settlement of the lawsuit entitled City of Fort Worth vs. BJR Investments LLC, Roberts Realty Advisors, Inc., and Billy Jay Roberts to vindicate public interest and Affirmatively Further Fair Housing;
 2. Adopt the attached appropriation ordinance increasing estimated receipts and appropriations in the Special Purpose Fund in the amount of \$10,000.00 for the purpose of providing public interest relief and conducting activities to Affirmatively Further Fair Housing.
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DISCUSSION:

The United States Department of Housing and Urban Development (HUD) and Fort Worth entered into an agreement whereby Fort Worth investigates and prosecutes Fair Housing complaints. To that end, the Fort Worth Human Relations Commission (FWHRC) conducted a Fair Housing investigation into allegations of discrimination in housing against BJR Investments LLC, Roberts Realty Advisors, Inc., and Billy Jay Roberts, hereinafter collectively referred to as "Defendant(s)". At the conclusion of the investigation, the FWHRC found that reasonable cause existed to believe that discriminatory and/or retaliatory actions occurred.

Fort Worth attempted to conciliate the complaint through its Diversity and Inclusion Department, but was unsuccessful. Pursuant to federal regulations and Fort Worth's ordinance, either the complainant or respondent may elect to have the allegations tried in state district court. Therefore, on August 4, 2020, the City Council authorized staff to file suit to vindicate the public's interest in this matter Mayor and Council Communication (M&C 20-0478).

On April 16, 2021, the City of Fort Worth entered into a negotiated settlement agreement with Defendant(s), wherein Defendant(s) offered to settle the claim against them in consideration of a civil penalty payment to the City of Fort Worth in the sum of Ten Thousand Dollars (\$10,000.00).

The public interest relief, in the amount of Ten Thousand Dollar (\$10,000.00) will be used to conduct activities to affirmatively further fair housing. These activities may include, but are not limited to: informing people of their rights under the Fair Housing Act, conducting fair housing training and/or developing fair housing materials for dissemination in the Fort Worth community.

A Form 1295 is not required because: This M&C does not request approval of a contract with a business entity.

FISCAL INFORMATION / CERTIFICATION:

The Director of Finance certifies that upon approval of the above recommendations and adoption of the attached appropriation ordinance, funds will be deposited into the Special Purpose Fund. The Diversity and Inclusion Department (and Financial Management Services) is responsible for the collection and deposit of funds due to the City. Prior to any expense being incurred, the Diversity and Inclusion Department also has the responsibility to validate the availability of funds.

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