

South Carolina Human Affairs Commission

Technical Services and Training Division



Prevention Corner



An ounce of Prevention is Worth a Pound of Cure.

~Benjamin Franklin

November 2022

South Carolina
Human Affairs Commission
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www.schac.sc.gov

The South Carolina Human Affairs Commission strives to alleviate problems of discrimination through the enforcement of the SC Human Affairs Law (including the SC Pregnancy Accommodations Act), the SC Fair Housing Law, the SC Equal Enjoyment and Privileges to Public Accommodations Law and the SC Lactation Support Act.

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Sexual Harassment & Fair Housing

Sexual harassment by housing providers is illegal under the Fair Housing Act and other federal laws.

The South Carolina Fair Housing Law makes it illegal to discriminate in housing because of race, color, religion, sex, national origin, physical or mental disability, or familial status (*families with children*). The law applies to the sale, rental, and financing of residential housing, as well as applying different terms, conditions, or privileges for the sale or rental of residential housing.



What Constitutes Harassment Under Fair Housing Laws?

Courts recognize two types of sexual harassment **(1) *quid pro quo sexual harassment*** and **(2) *hostile environment sexual harassment***.

You must show that you were subjected to “unwelcome and extensive sexual harassment in the form of:

- *sexual advances,*
- *requests for sexual favors,*
- *other verbal or physical conduct of a sexual nature,*

which has not been solicited or desired and which is viewed as undesirable or offensive.”

Example:

A maintenance man sends a tenant unwelcome, sexually suggestive texts and enters her apartment without invitation or permission.

Source: [Housing Discrimination | Human Affairs Commission](#); [Sexual Harassment | HUD.gov / U.S. Department of Housing and Urban Development \(HUD\)](#)

How can I schedule training?

(803) 737-7800 or (800) 521-0725, Relay 711

email: training@schac.sc.gov

Hostile Housing Environment Sexual Harassment

Hostile environment harassment occurs when a housing provider subjects a person to severe or pervasive unwelcome sexual conduct that interferes with the sale, rental, availability, or terms, conditions, or privileges of housing or housing-related services, including financing.

Example:

- A landlord subjects a tenant to severe or pervasive unwelcome kissing, touching, and groping without consent.
- A property manager makes severe or pervasive unwelcome, lewd comments about a tenant's body.



Quid Pro Quo Harassment (“This for That”)

Quid pro quo harassment occurs when a housing provider requires a person to submit to an unwelcome request to engage in sexual conduct as a condition of obtaining or maintaining housing or housing-related services.

Examples:

- A landlord tells an applicant he won't rent her an apartment unless she has sex with him.
- A property manager evicts a tenant after she refuses to perform sexual acts.
- A maintenance man refuses to make repairs unless a tenant gives him nude photos of herself.

Source: [Sexual Harassment | HUD.gov / U.S. Department of Housing and Urban Development \(HUD\)](#)

U. S. Department of Justice

News & Notes

News Article

Tuesday, December 14, 2021

Justice Department Obtains \$4.5 Million Settlement from a New Jersey Landlord to Resolve Claims of Sexual Harassment of Tenants

The Justice Department announced today that Joseph Centanni, a landlord who has owned hundreds of rental units in and around Elizabeth, New Jersey, has agreed to pay \$4.5 million in monetary damages and a civil penalty to resolve a Fair Housing Act (FHA) lawsuit concerning his sexual harassment of tenants and housing applicants for more than 15 years.

This settlement, which still must be approved by the U.S. District Court for the District of New Jersey, is the largest monetary settlement the department has ever obtained in a case alleging sexual harassment in housing.

- **The FHA prohibits discrimination on the basis of sex, which includes sexual harassment and discrimination on the basis of sexual orientation and gender identity.**
- **Centanni focused his harassment on women, as well as men who are gay or bisexual. The monetary damages awarded under the proposed consent decree will compensate numerous women and men who were sexually harassed by Centanni.**

Read the entire article at [Justice Department Obtains \\$4.5 Million Settlement from a New Jersey Landlord to Resolve Claims of Sexual Harassment of Tenants | OPA | Department of Justice](#)

SEXUAL HARASSMENT IN HOUSING INITIATIVE

The Sexual Harassment in Housing Initiative is an effort to combat sexual harassment in housing led by the Civil Rights Division of the Department of Justice (DOJ).

The goal of the Initiative is to address sexual harassment by landlords, property managers, maintenance workers, loan officers or other people who have control over housing. Source: [Sexual Harassment in Housing Initiative \(justice.gov\)](#)

See below an additional resource to help you learn more about DOJ's work against sexual harassment in housing.



<https://www.justice.gov/crt/video/sexual-harassment-housing-psa>



Answers to your questions about SC Pregnancy Discrimination and SC Lactation Support Laws.

Can your landlord evict you for having a baby?

No. It is against federal and state fair housing laws to threaten or to evict a tenant for having a baby.

It is against the law to discriminate against a tenant for many reasons. Pregnancy and childbirth are among these reasons. The Fair Housing Act prohibits discrimination in housing against families with children under 18.

Even though the landlord cannot evict a tenant for being pregnant or having a baby, they may still evict the tenant for other reasons, such as if they violate their lease or for failing to pay rent.



What Can I Do if I Am Being Sexually Harassed in My Housing Environment?

If you are being sexually harassed in your housing environment, you can file a claim with the S.C. Human Affairs Commission or the U. S. Department of Housing and Urban Development.

For more information about filing a complaint:

S.C. Human Affairs Commission
[How to File a Housing Complaint | Human Affairs Commission](#)

U. S. Department of Housing and Urban Development
[Complaints | HUD.gov / U.S. Department of Housing and Urban Development \(HUD\)](#)

Source: SC Human Affairs Commission; [The Fair Housing Act \(justice.gov\)](#);

****Please Note: This newsletter is not intended to be used as legal advice**

PREVENTION CORNER

Prevent Housing Sexual Harassment

Property owners and property managers have the duty to ensure that his or her employees or agents do not engage in sexual harassment. A property owner or manager may be held liable if any of his or her employees, agents, or contractors sexually harass an applicant, resident, or tenant.

- 1. Educate employees, tenants, and contractors about the fair housing laws.**
- 2. Talk to tenants to find out whether harassment is occurring.**
- 3. Adopt policies against sexual harassment.**
- 4. Have a clear and effective reporting procedure in place.**
- 5. Take every complaint seriously.**

Source: SC Human Affairs Commission; [Preventing and Addressing Harassment in Housing, Fact Sheet for Property Owners and Managers - HUD Exchange](#)

If you feel like you have experienced discrimination or harassment, contact us for help.

South Carolina Human Affairs Commission

(800) 521-0725, Relay 711 or 803-737-7800

<https://www.schac.sc.gov/>

The mission of the South Carolina Human Affairs Commission is to Prevent and Eliminate Unlawful Discrimination in Employment, Housing, and Public Accommodations.

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Full Time Positions Available

Program Coordinator I (Employment Investigator) One (1) position

Program Coordinator I (Fair Housing Investigator) One (1) position



For more details about these positions:

Please visit www.careers.sc.com and search “State Human Affairs Commission” in the search bar.

Visit www.linktr.ee/schacomm and click “Full Time Positions.”

or

Click on the link below.

[Job Opportunities | Departments: State Human Affairs Commission | Sorted by Job Title ascending | Our state. Your future. Discover the possibilities. \(governmentjobs.com\)](#)