Lowndes

News

Lowndes Secures Favorable Ruling in Dispute Regarding Affordable Housing Project

Press Release
Lowndes
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Lowndes has secured a pivotal fair housing ruling for client Wendover Housing Partners in a proceeding involving the City of Apopka. Earlier this week, Judge Thompson, Senior Judge for the Orange County Circuit Court, found that it was a violation of the Florida Fair Housing Act for a city to impose restrictions on the development of housing based upon the financing of that housing. The Florida Fair Housing Act prohibits discrimination in land use decisions and the permitting of development based upon the source of financing of the development or the proposed development.

In a case of first impression, Judge Thompson found the City of Apopka's restriction that required residential multi-family be rented at market rate and be non-subsidized was a violation of that section of the Florida Fair Housing Act. The City's restriction, if lawful, would have prohibited affordable housing from being developed on the property because such housing is developed utilizing financing sources that limit the amount of rent that is charged to its tenants.

In his ruling, Judge Thompson enjoined the City from enforcing the restriction thus allowing affordable housing to be developed on the property.

Wendover was represented by litigation attorney **Rebecca Rhoden**.

Related Attorneys

Rebecca E. Rhoden

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