FAIR HOUSING BEST PRACTICES FOR HOUSING PROVIDERS

FACT SHEET # 1

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When acts of unlawful housing discrimination are allowed to occur or continue in a community, there are many consequences. Housing discrimination tears at the fabric of a community and encourages an environment where disputes escalate. Housing discrimination encourages the racism and bigotry that fuel these actions. Acts of housing discrimination that go unchallenged send a message of apathy throughout a community and result in reduced efforts to seek help when it is needed.

Housing discrimination leads to segregated neighborhoods and feeds the stereotypes that form the basis for discrimination. Where discrimination flourishes, so does a lack of respect for cultures. Housing discrimination works to perpetuate other housing problems, such as tight housing markets, substandard housing, and homelessness, as well.

Civil rights and fair housing laws have made housing discrimination unlawful for over 140 years, yet housing discrimination still exists. It is imperative that the community join together in a joint effort so we can be successful in ensuring equal housing opportunity for all.

Any person involved in a housing transaction is responsible to follow and uphold the fair housing laws. This includes such people as owners of property, on site managers, rental agents, mortgage lenders, real estate brokers, agents, and appraisers. In addition, neighbors who harass and providers who do not ensure a safe living environment may also be liable. As a housing provider, establish a program to ensure equal opportunity for all. Some suggested examples of successfulfair housing business standards and practices are:

1. **Policy Statement:** Publish a statement that your organization provides equal opportunity housing and does not discriminate based upon race, color, religion, gender, national origin, familial status, disability, age, public assistance, marital status (North Dakota only), sexual orientation (Grand Forks only), as prohibited by fair housing laws. A sample policy is available from the HPFHC.

2. **Provide an Orientation Packet and Periodic Training on Fair Housing Laws for all employees.**

3. **Establish Employee and Agent Guidelines by Making Available:**
   - ✓ Written copies of policies and procedures to employees**.**
   - ✓ Examination of individual attitudes.
   - ✓ Working and current knowledge of fair housing laws.
   - ✓ Confirm that fair housing violations will lead to sanctions.
   - ✓ Provide consistent quality of treatment.
   - ✓ Train staff to know how to respond to any reasonable accommodation or modification requests, whether verbal or written.
   - ✓ Maintain a file or keep with an employee's personnel file as to the type, date, and location of the fair housing training, including what was offered and who attended.

4. **Office Resources:**
   - ✓ Fair housing posters prominently displayed for customers. Contact the HPFHC to receive free posters (English & Spanish available).
   - ✓ Advertising consistent with fair housing laws. A good rule to follow is to describe the property, not the people.
   - ✓ Displays, pamphlets, and circulars contain fair housing logo.
   - ✓ Employees certified as attending fair housing orientation course.
   - ✓ All rental agents equally familiar with vacancies and rent terms.
   - ✓ Office log for housing problems with date and time of incident, forms for check in and out, maintenance requests, etc.
   - ✓ List of fair housing resources and references including how to request and respond to reasonable accommodations and modifications.
   - ✓ Standardized application and interview criteria for applicants.
   - ✓ Provide all new tenants with direction on accessing information on North Dakota's Landlord & Tenant Law and the rights and responsibilities.

of both tenants and housing providers.

5. **Fair Housing Practices:**
   - ✓ Report instances of discrimination to superiors immediately.
   - ✓ Monitor staff knowledge of fair housing periodically.
   - ✓ If photographs of models are used in advertisements, include models of different races and nationalities and with other visible protected class characteristics to reflect the diversity of the community.
   - ✓ Be aware of local occupancy codes and ensure that any occupancy policies are not more restrictive than the codes in place.
   - ✓ Those with disabilities are most knowledgeable about any reasonable accommodation or modification needs they may have and will notify you of any needs.
   - ✓ All real estate advertisements should include equal housing opportunity logotype, statement or slogan. Keep a record of all advertising, marketing, and outreach activities which includes the date, location, and resource used.
   - ✓ If you have a multi-family property built for first occupancy as of March 13, 1991, it must be accessible to people with disabilties. Ensure it is and make any needed changes if it is not.
   - ✓ Make sure employees understand the differences between pets and animals needed for those with disabilities.

6. **Stress consistency from all employees.** Require the same qualifications for all tenants. Treat everyone the same. Housing providers have rights, too, which include requiring that tenants meet application requirements, pay rent when due, obey rules and policies, do not disturb other residents or abuse property.

EXAMPLES OF UNLAWFUL HOUSING DISCRIMINATION

- ✓ Refusing to rent to a family with children
- ✓ Requiring individuals with disabilities to pay higher security deposits
- ✓ Stating that a unit is not available when it is just because of someone's protected class under fair housing laws
- ✓ Requiring credit checks only on American Indian applicants
- ✓ Building a large, new apartment building with no accessible units
- ✓ Restricting families with children to certain buildings or floors
- ✓ Requiring a pet deposit for an assistive or service animal
- ✓ Suggesting a tenant can pay for back rent to put off an eviction with sexual favors
- ✓ Requiring criminal record checks for African Americans only
- ✓ Publishing an advertisement which indicates a limitation or preference based on status within a protected class

FAIR HOUSING RESOURCES

- ✓ High Plains Fair Housing Center: www.hohgpliansfhc.org
- ✓ Indiana Civil Rights Commission: in.gov/icrc/
- ✓ Marion County Office of Equal Opportunity: indy.gov
- ✓ U.S. Department of Housing & Urban Development/Fair Housing: hud.gov/fairhousing
- ✓ U.S. Department of Justice/Civil Right: usdoj.gov/ crt
- ✓ Fair Housing Advocate: fairhousing.com

The mission of the High Plains Fair Housing Center is to strengthen communities and to ensure equal access to fair housing in the region through training, education, enforcement and advocacy. For more information please contact: Phone: 701-203-1077 Toll Free: 1-866-380-2738;
Email: highplainsfairhousing@gmail.com; www.highplainsfhc.org

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EQUAL HOUSING OPPORTUNITY