

## TIPS FOR HOUSING PROVIDERS

### *Best Practices To Avoid Fair Housing Act Violations*

- 1) Keep detailed and meticulous records
- 2) Adopt and use the Fair Housing Act's Equal Housing Opportunity Logo and nondiscrimination statement: "(name of company) does not discriminate based on ancestry, race, color, religion, sex, disability, familial status, national origin, or military status."
- 3) When advertising, market the property and its amenities rather than placing an ad that seeks to appeal to or attract a certain type of tenant.
  - a. Example 1 (good ad): 3 bedroom, 2 bath apartment, 950 square feet with beautiful view of the lake.
  - b. Example 2 (bad ad): Great apartment available in a very quiet neighborhood within walking distance of ABC Church. Applicants must have proof of employment.
- 4) When screening applicants, it is best to have a standard, written procedure in place for how applications are screened. Keep records of all applicants. Avoid asking personal questions regarding behavior, disabilities, health, etc. Questions regarding evictions, bankruptcy history, prior landlord relationships, or prior judgments are fine.
  - a. Best defense to a claim of discrimination is to be able to point to a written policy and show that you have applied it uniformly to all applicants.
- 5) To avoid "steering," when showing properties to prospective tenants/purchasers, do not suggest certain types of properties or mention types of people that live around a property.
  - a. "Bad" example: "Here, let me show you the building near the playground" to a tenant with children.
  - b. Instead – offer to show the tenant/purchaser all the available properties and allow the tenant to offer to skip properties he has no interest in seeing.
- 6) Use a standard lease with the same terms and rules for all tenants.
  - a. Avoid lease terms aimed at particular groups – e.g., "The West pool is for adults only"
- 7) When doing an eviction or termination, avoid the appearance of discrimination by:
  - a. Clearly documenting the reason for termination of the lease, and
  - b. Providing a statement of the reason for the termination to the tenant, especially when requested.
- 8) When you receive a reasonable accommodation request, if you feel there are barriers to you being able to do the tenant's request, do not just ignore or deny the RA, rather, make an offer for an alternate accommodation that would still meet the tenant's stated needs but not cause an undue burden on, you, the provider.

- 9) For further assistance, you can call the Idaho Legal Aid Fair Housing hotline at 1-866-345-0106
- 10) Make sure you have up to date information regarding Fair Housing laws and guidance by visiting:
  - a. [www.hud.gov](http://www.hud.gov)
  - b. [www.idaholegalaid.org](http://www.idaholegalaid.org) (Fair Housing Portal being launched this Spring)

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