Fair Housing Fundamentals
What is Fair Housing?

Fair Housing laws make it unlawful to discriminate in the sale, rental, and financing of housing . . . because of any protected class.
Protected Classes

Federal

- Race
- National Origin
- Religion
- Sex/Gender
- Disability
- Color
- Familial Status
Two Types of Discrimination

- **Disparate Treatment**
  - Treating someone differently because of their race, color, etc.

- **Disparate Impact**
  - A neutral policy or practice has a disproportionately negative impact on a protected class.
Two Types of Harassment

- Quid Pro Quo
- Hostile Environment
Harassment

• Possible Liability
  • Third Parties
  • Employees
  • Owners
  • Other Residents
Recent Settlements

• Kansas City Housing Authority paid $365,000 to settle a sexual harassment case.
• Two St. Louis landlords paid $625,000 to settle a sexual harassment lawsuit.
• Jacksonville, Florida landlord paid $75,000 to settle case.
• Virginia landlord paid $37,500 to settle case.
• California landlord paid $12,000 to settle case.
Opening the Door to Nude or Partially Nude Residents
Have a Plan

Talk to your supervisor about what he/she expects you to do in this type of situation:

✔ Leave immediately
✔ Tell the resident you will return when they are appropriately dressed
✔ Tell the resident to reschedule the appointment
✔ Tell management what you encountered
Prevent Sexual Harassment Claims

- Schedule maintenance appointments.
- Do not make comments about a resident’s body, clothing, etc.
- Do not ask a resident on a date.
- Do not flirt with a resident regardless of how receptive the resident may seem to be.
- Remember employees should not have personal relationships with residents.
Prevent Sexual Harassment Claims

- Do not hug/pat/kiss residents or allow them to do the same to you.
- Document all inappropriate behavior by residents, applicants, and/or visitors.
- Report all incidents that might lead to a harassment complaint to management.
Remember

- Anyone can be seen as a harasser if your behavior is unwelcome, offensive, hostile or creates a disruptive environment.
- Do not assume your behavior is acceptable to others.
- Unintentional harassment is still unlawful.
Inappropriate Conversations
Pitfalls

- Conversations about residents’ clothes, looks, etc.
- The use of vulgar/sexual language
- The use of curse words
- Listening to vulgar music
- Using vulgar ringtones
- Political conversations/clothing
- Racial conversations/clothing
Dating a Resident
Don’t Do It!!
Sexual Harassment

- When the relationship ends – it is seldom by mutual agreement
- At any time, the resident/vendor/co-worker can claim the attention was unwelcomed
- All text, emails, pictures and correspondence could be revealed to everyone
- Personal Liability
Favoritism

- Favoritism looks like discrimination.
- Anything you do for the resident personally, will be interpreted as discriminatory.
- Avoiding the person after a break-up may also be considered discriminatory/re retaliatory.
Favoritism

What you do for one, you will be expected to do for another:

- Carrying in groceries
- Helping move furniture
- Putting up a ceiling fan
- Walking the dog
- Carrying out groceries
Opening the Door to Minor Children
Minor Children

- Leave the apartment as quickly as possible.
- “Are you parents at home?”
- “How old are you?”
- “Tell your parents to reschedule.”
Dealing with Unhappy Residents
Those are Fighting Words

- Do not argue with a resident.
- Tell the resident to report their concerns to the office.
- If a resident threatens you, walk away – let your management company defend you.
- Report all complaints/claims by a resident to management.
Answering Questions
Possible Questions

- Why were the police called to the apartment downstairs last night?
- Can you make sure they don’t rent the empty apartment next door to anyone with children?
- Is there something wrong with my neighbor?
- When will I get new carpet?
- Can I get some new blinds for my windows?
- Do you mind if my son installs some grab bars in my bathroom?
I want to make sure you are provided with accurate information.

You should speak with ___________ in the management office.
Questioning the Resident

- Do not discuss issues other than the weather and maintenance related issues.
- Do not ask about the resident’s health.
- Do not ask about the resident’s religion.
- Do not ask about the resident’s national origin.
- Do not ask about the resident’s children.
Claims of Refusal of Maintenance
Work Orders

- Common Issue in Discrimination Complaints
- Common Issue in Retaliation Complaints
- Must be handled consistently
Prioritizing Work Orders

- Emergency
- First – Come / First – Served
- Waiting on Parts and/or Supplies
- Routine Maintenance
Handling In-Person Maintenance Requests

Responding

- Send them to the office
- Tell them to make their request in writing
- Follow-up with Management
Remember

❖ Report anything that might be a lease violation (animal, unauthorized occupant, hoarders, etc.)
❖ Work rules apply on-site even at night and on the weekends
Questions & Answers