

# Have you checked your Fair Housing policies lately?

Everyone in the business of selling and/or leasing manufactured homes should have written and posted fair housing policies. Such policies not only reduce the risk of suffering the financial loss of a successful fair housing claim, but having them in place is simply good business practice.

A good set of policies informs employees of the organization's commitment to fair housing and sets the expectations as to how they should conduct themselves accordingly. Additionally, it sets a standard in your organization that all applicants and residents are treated consistently.

An organization's fair housing policy doesn't have to be long. Brief is good. But it should be clear, concise and include the protected classes in all relevant laws (federal, state and local).

In addition to listing the basic protected classes, the policy should include directions on how to file a complaint. Circulate the policy to all residents and keep a copy posted in the community's management office. Make sure you have a large print format available for those who might request it.

Finally, give a copy of your fair housing policies to all employees (not just those in the front office). Talk about fair housing policy with your employees—all employees. From the receptionist to the maintenance team, and every single person that interacts with residents, reinforce

the importance of fair housing policies. Training is the key to compliance. Then, actively manage your employees' behavior relative to fair housing.



## HUD continues Fair Housing enforcement

The U.S. Department of Housing and Urban Development (HUD) announced in January it charged the property owners, operator, and office manager of a multifamily property in Wichita, Kansas, with violating the Fair Housing Act by terminating the lease of a resident who had asked that her grandchild be allowed to live with her.

“Grandparents shouldn't have their housing

Velasquez, HUD Assistant Secretary for Fair Housing and Equal Opportunity. “This charge reinforces HUD's commitment to ensuring that housing providers meet their obligation to treat families with children the same as any other resident.”

The case came to HUD's attention when a female ... (over)

## HUD Continues Fair Housing Enforcement

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... resident filed a complaint alleging the owners of Northridge Apartments, a complex in Wichita consisting of 16 one-bedroom units, terminated her lease after she asked if she could add her granddaughter to her lease. The grandmother had obtained custody of the child shortly before she made the request.

HUD's charge alleges the property manager told her that her request "may be a problem," and that the owner "doesn't want kids on the property." The charge further alleges that the owners gave notice that they were terminating the lease of another family with a child around the same time.

This case is on its way to federal district court where a judge will determine if illegal discrimination has occurred.

And in February, HUD announced it charged the landlords of a Moore, Oklahoma rental home with violating the Fair Housing Act by denying the reasonable accommodation requests of their tenant, a veteran with disabilities.

The Fair Housing Act prohibits housing providers from denying or limiting housing to persons with disabilities, or from refusing to make reasonable accommodations in policies or practices for people with disabilities. This includes waiving pet fees for persons with disabilities who use assistance animals.

The case came to HUD's when a combat veteran living with a mental disability and who uses an emotional support animal filed a complaint alleging that the owners of the house he was renting. The tenant complained that the landlord and the management company refused to waive their pet deposit fee. HUD's charge alleges that although the man provided the owners and management company with medical documentation attesting to his need for the animal, they denied his request to waive a \$250 pet fee. Under the law, assistance animals are not considered pets.

Disability is the most common basis of fair housing complaint filed with HUD and its partner agencies. Last year alone, HUD and its partners considered over 4,900 disability-related complaints, or more than 58 percent of all fair housing complaints.

This case will be heard by a United States Administrative Law Judge, unless any party to the charge elects to have the case heard in federal district court. If an administrative law judge finds after a hearing that discrimination has occurred, the judge may award damages. The presiding judge may also order injunctive relief and other equitable relief, as well as payment of attorney fees. In addition, the judge may impose civil penalties in order to vindicate the public interest. If the case is heard in federal court, the judge may also award punitive damages to the complainant.

For more information, questions, or to get copies of past Updates, contact MHI's General Counsel, Rick Robinson, at [rrobinson@mfghome.org](mailto:rrobinson@mfghome.org).

