



# FAIR HOUSING

YOUR MONTHLY UPDATE TO HOUSING NEWS, INFORMATION AND EVENTS.

MARCH 2018

## Five Fair Housing Tips for 2018

When MHI offers live Fair Housing training at state association meetings, it always concludes with a robust discussion of Fair Housing “best practices.” Here’s our Top 5 List for property managers and owners to consider.

1. Adopt a brief written Fair Housing policy that shows your intention to comply with all federal, state and local housing laws. Post that policy in a visible location and include similar language in your lease.

2. Along with general Fair Housing Policy, also adopt policies on Occupancy,

Screening and Reasonable Accommodation/Modification. Make sure these policies include an interactive process for reasonable accommodations and modifications, as well as a written complaint process. Follow it and don’t ignore a request for an accommodation/modification or a complaint. Make sure you use the proper basis to deny a reasonable accommodation (like assistance animals).

3. Train ALL your employees about company Fair Housing policies. Sanction any employee that does not comply with your policies.

4. **DOCUMENT.  
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Good documentation beats bogus claims. Use incident forms for property managers to report shopping or other suspicious activity.

5. Don’t get busted by a bad advertisement. As discussed in detail in last month’s [Update](#), advertise the benefits of the property (not traits of perspective the tenants). Use the Equal Housing Opportunity logo on all your advertisements (including Facebook, Craig’s List and other social media).



### MORE STATES PASS ASSISTANCE/SERVICE ANIMAL LAWS

[February’s Fair Housing Update](#) featured state legislatures that were considering legislation making misrepresentation of service or assistance animals a crime. Congratulations to the following states with General Assemblies that have adopted bills in 2018: [Alabama](#), [Indiana](#), [South Dakota](#), and [Washington](#). A broader bill on misrepresentation of disabilities passed in [West Virginia](#).



MHI's General Counsel Rick Robinson testifies before the Kentucky General Assembly in support of legislation making it illegal to misrepresent a support animal.

## HUD REACHES FAIR HOUSING DEALS IN CALIFORNIA AND TEXAS

Two recent HUD Press Releases remind those in housing that Fair Housing claims don't always just involve landlords. Local jurisdictions are bound by the Fair Housing Act, as well.

HUD announced in February that it had reached a Conciliation/Voluntary Compliance Agreement with the Housing Authority of the County of Contra Costa (HACCC) and the Vallejo Housing Authority (VHA), both located in California, resolving Fair Housing Act and Americans with Disabilities Act claims.

The case rose following an allegation that the housing authorities denied a woman a reasonable accommodation for not allowing her additional time to find a suitable housing unit where she could use her Housing Choice Voucher.

"For residents with disabilities, being allowed a longer period to find housing can be the difference between having a roof over their heads and finding themselves on the street," said Anna María Farias, HUD Assistant Secretary for Fair Housing and Equal Opportunity. "This case reminds housing providers of the seriousness of their responsibilities under the Fair Housing Act and Section 504 and demonstrates HUD's commitment to ensuring that housing providers follow through on these responsibilities."

Under the agreement, defendants will pay the woman a total of \$10,000, and reinstate the woman's expired Housing Choice Voucher. In addition, the woman will get additional time to locate and lease housing.

And last week, HUD entered into a Fair Housing Agreement with the City of Houston Texas designed to expand housing choice and mobility for lower income residents, including those experiencing homelessness and victims of Hurricane Harvey.

According to the HUD Press Release, "The agreement requires Houston to adopt a policy for objectively evaluating federally supported affordable housing developments in all areas of Houston; to seek to invest additional funds in homeless assistance programs, and; to encourage more landlord participation in Houston's housing voucher program."

"Today, we announce a positive agreement that works to expand housing options for lower income Houston residents, especially in neighborhoods with better performing schools and higher paying jobs," said HUD Secretary Ben Carson. "We're pleased the City is committed to making sure taxpayer-supported affordable housing development be supported and encouraged in a fair and inclusive manner."

The Agreement may be found [here](#).



If you have any questions regarding Fair Housing or would like back issues, please contact MHI's Senior Vice President of State and Local Affairs and General Counsel, Rick Robinson at [robinson@mfmhome.org](mailto:robinson@mfmhome.org)

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