

Top 10 Fair Housing Best Practices for Landlords

- 1) **Know your responsibilities under fair housing law.** Know which fair housing laws apply to your property or properties, including the federal Fair Housing Act and Michigan's Elliott-Larsen Civil Rights Act. Are there also local ordinances with additional protected classes that apply to the property based upon its location?
- 2) **Train management, maintenance and other staff on the established policies and your commitment to fair housing.** Providing fair housing training is a good risk management strategy. Ensure that anyone who interacts with potential applicants and current residents is aware of their responsibilities under fair housing laws and of your established policies.
- 3) **Establish application criteria, policies and procedures to follow in accordance with the laws.** Ensure that these rules do not discriminate against anyone because of their protected class, i.e. race, religion, national origin, skin color, gender, familial status (whether or not they have children), disability, marital status or age, and that the policies or procedures are not applied differently to persons within a specific protected class.
- 4) **Apply the application criteria, policies and procedures evenly and consistently across the board.** This ensures equal treatment and helps avoid unintentional violations. It is important to be consistent with information about vacancies, waiting lists, qualifications, rental rates, security deposits, other fees, credit/employment/additional sources of income information/references requested, rebates or specials, and policies.
- 5) **Make sure ALL staff, tenants and applicants are equally aware of the applicable criteria, policies and any rebates or specials.** Consistency is key to compliance.
- 6) **Review advertising materials for fair housing implications before publishing or posting.** *Describe the property*, NOT the people i.e., people for whom you may think the property is "ideal for". Advertising under the Fair Housing Act is broadly defined and includes not only promotional materials and newspaper and internet advertisements, but any *verbal statements* made. Contact the FHCWM with questions.
- 7) **Ensure housing choice.** Housing providers should not make choices about which property/unit may meet someone's needs, but rather potential residents, especially people with disabilities and families with children, should receive information about all the available property/unit(s) and choose for themselves if it meets their needs.
- 8) **Consider requests for reasonable accommodations or reasonable modifications based upon a disability on a case-by-case basis.** Such accommodations/modifications may be necessary to afford a person with a physical or mental disability equal opportunity to use and enjoy a dwelling. Refer to the DOJ/HUD Memos on Reasonable Accommodations and Modifications (see Housing Professionals & Publications pages at www.fhcwm.org).
- 9) **Be familiar with local occupancy standards that apply to each property.** Housing providers only need to know the number of 'heartbeats' or people that will occupy the unit. Your occupancy policy should not be more restrictive than local health and safety standards. Refer to the Keating Memo (see Publications page at www.fhcwm.org).
- 10) **Assure that the property and its amenities are fully accessible for individuals with disabilities.** See www.fairhousingfirst.org for more information.

*If you have additional questions about fair housing or would like information on fair housing training, please contact the **Fair Housing Center of West Michigan** at (616) 451-2980 or visit www.fhcwm.org.*