<ul> <li>Timely Rent</li> </ul>	Lawful Evictions
<ul> <li>Credit Checks</li> </ul>	Timely Notices
<ul> <li>Security Deposits</li> </ul>	Occupancy Code Limits
• Fair Terms	<ul> <li>Proper Care of Unit</li> </ul>
<ul> <li>Written Leases</li> </ul>	Repair Notices
<ul> <li>References</li> </ul>	<ul> <li>Notices to Vacate</li> </ul>
Proof of Income	Safety
<ul> <li>Tenant Identities</li> </ul>	No Threats

It is unlawful for Landlords to discriminate based on any of the following characteristics of their tenants and/or applicants:

<ul><li>Age</li><li>Creed</li></ul>	<ul><li>National Origin</li><li>Marital Status</li></ul>
• Race	• Domestic Violence Victim (Sex)
Color	Disability
• Sex	Military Status
Sexual Orientation	• Familial Status (Having children)

#### Who Is NOT Protected?

Tenants/applicants who smoke
Applicants with bad credit
Applicants with negative references
Tenants who don't pay rent on time
Tenants who violate the lease
Threatening tenants
Tenants who damage the property
Current drug addicts

Who Can Help? The Tompkins County Office of Human Rights offers landlords assistance with understanding and complying with local, state, and federal Fair Housing laws. Please contact us at:

### TOMPKINS COUNTY Office of Human Rights

120 W. Martin Luther King Jr. Street, Ithaca, NY 14850 Phone: 607.277.4080 Fax: 607.277.4106 Email: humanrights@tompkins-co.org

## TOMPKINS COUNTY Office of Human Rights



# Rights and Responsibilities FOR LANDLORDS

# 10 Things Landlords Should Know \_\_\_\_\_ About Fair Housing \_\_\_\_\_

Sounds pretty simple if there are just 10 things landlords should know with regard to Fair Housing law. Of course, there are more than just 10 items, but it's an excellent start — and knowing about Fair Housing will help lead to understanding what should and should not be done when renting property.

**ADVERTISING** — When advertising, landlords should describe property attributes and/or amenities, not what they are or are not looking for in a tenant.

> SCREENING APPLICANTS — Landlords should have a written rental policy detailing the criteria necessary for approving tenants for their properties. The rental policy should include occupancy guidelines, availability policy, rental criteria (i.e. employment history/ income, credit standards, etc.) with an explanation of what the criteria are, an outline of the application process and that it adheres to all applicable Fair Housing laws.

**D** APARTMENT RULES — It is absolutely acceptable for a landlord to have a set of "house rules" for all residents to live by. The house rules should be basic, non-discriminatory, and enforced uniformly against each tenant. 2 STEERING — "Steering" occurs when a landlord attempts to direct an applicant, for whatever reason, to a specific area of the property. To help avoid claims of "steering" by a prospective tenant, landlords should show all available properties. Let the prospect decide what to see and what to skip. And finally, present only facts about the property and the community, not about other residents or neighbors.

OCCUPANCY — In 1996 Congress enacted a law based upon a 1991 HUD memo stating that a 2-person-per-bedroom occupancy standard was acceptable in most situations. This is by no means a strict guideline and can change depending on a number of factors.



**REASONABLE ACCOMMODATION** — A reasonable accommodation is at the tenant's request and when a landlord voluntarily makes exceptions to his/her standard rules or policies to accommodate the tenant's disability. The requested accommodation must be reasonable and should not present an undue burden on the landlord. In general, landlords are not obligated to offer an accommodation to a tenant, but should wait for a tenant to request the accommodation.

**REASONABLE MODIFICATION** — Landlords may require a disabled tenant to pay for modifications to the property and require that those modifications be removed when the tenant vacates the property. As with accommodations, the modifications must be reasonable.

> **STAFF TRAINING** — Every time a new employee joins the landlord's business, there should be a training meeting about Fair Housing laws and how to comply with them.

RECORD KEEPING — Landlords need to keep records on all prospective tenants, in addition to current/past tenants. Being able to produce consistent records showing nondiscriminatory applications of written screening criteria in every case can help defend a Fair Housing claim.

**EVICTION** — The rules set by the landlord apply to all tenants equally. When contemplating an eviction for other than non-payment of rent, landlords are advised to ask themselves the following two questions: (1) Has there been a serious violation of the lease agreement? (2) Do you and have you evicted other residents for the same type of problems or behavior? If the answer to these questions is yes, then an eviction would be warranted under the circumstances.



Fair Housing. It's Not An Option. It's The LAW!