

# SUCCESSFUL FAIR HOUSING BUSINESS STANDARDS AND PRACTICES FOR HOUSING PROVIDERS

## FACT SHEET NO. 1

*Published by the Fair Housing of the Dakotas*

When acts of illegal housing discrimination are allowed to occur or continue in a community, there are many consequences. Housing discrimination tears at the fabric of a community and encourages an environment where disputes escalate. Unchecked, housing discrimination encourages the racism and bigotry that fuel these actions. Acts of housing discrimination that go unchallenged send a message of apathy throughout a community and result in reduced efforts to seek help when it is needed.

Housing discrimination leads to segregated neighborhoods and feeds the stereotypes that form the basis for discrimination. Where discrimination flourishes, so does a lack of respect for all cultures. Housing discrimination works to perpetuate other housing problems, such as tight housing markets, substandard housing, and homelessness, as well.

Civil rights and fair housing laws have made housing discrimination illegal for over 100 years, yet housing discrimination still exists. It is imperative that the community join together in a joint effort so we can be successful in ensuring equal housing opportunity for all.

Any person involved in a housing transaction is responsible to follow and uphold the fair housing laws. This includes such people as owners of property, on site managers, rental agents, mortgage lenders, real estate brokers, agents, and appraisers. In addition, neighbors who harass and providers who do not ensure a safe living environment may also be liable. As a housing provider, establish a program to ensure equal opportunity for all. Some suggested examples of successful fair housing business standards and practices are:

**1. Policy Statement:** Publish a statement that your organization provides equal opportunity housing and does not discriminate based upon race, color, religion, gender, national origin, familial status and disability as

prohibited by fair housing laws. In North Dakota, discrimination due to age (40 years and over) and status with respect to marriage and public assistance is also prohibited. In South Dakota, discrimination due to creed and ancestry is also prohibited. A sample policy is available from the FHD.

- 2. Provide an Orientation Packet and Periodic Training on Fair Housing Laws for all employees.**
- 3. Establish Employee and Agent Guidelines by making available:**
  - Written copy of policies and procedures to employees.
  - Examination of individual attitudes.
  - Working and current knowledge of fair housing laws.
  - Confirm that fair housing violations will lead to sanctions.
  - Maintain a file or keep with an employee's personnel file as to the type, date, and location of the fair housing training, including what was offered and who attended.
- 4. Office Requirements and Resources:**
  - Fair housing posters prominently displayed for customers. Call 701-221-2530 or 1-888-265-0907 to receive free posters. (English & Spanish available.)
  - Advertising consistent with fair housing laws.
  - Displays, pamphlets, and circulars contain fair housing logo.
  - Employees certified as attending fair housing orientation course.
  - All rental agents equally familiar with vacancies and rent terms.
  - Office log for housing problems with date and time of incident.
  - List of fair housing resources and

references including how to request reasonable accommodations and modifications.

- Standardized application and interview criteria for applicants.
- Provide all new tenants with a copy of the booklet on landlord/tenant rights which addresses fair housing as well as common landlord/tenant questions (available in both North and South Dakota).

**5. Fair Housing Practices:**

- Keep neutral record of all calls and walk-in interviews on rentals.
- Report cases of discrimination to superiors immediately.
- Monitor staff knowledge of fair housing periodically.
- If photographs of models are used in advertisements, include models of different races and with other visible protected class characteristics to reflect the diversity of the community.
- All real estate publications should include the publisher's Equal Housing Opportunity statement.
- All real estate advertisements should include equal housing opportunity logotype, statement or slogan. Keep a record of all advertising, marketing, and outreach activities which includes the date, location, and resource used.

**6. Stress consistency from all employees.**

Require the same qualifications for all tenants. Treat everyone the same. Housing providers have rights, too, which include requiring that tenants meet application requirements, pay rent when due, obey rules and policies, do not disturb other tenants or abuse property.

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**EXAMPLES OF ILLEGAL HOUSING DISCRIMINATION**

- Refusing to rent to a family with children
- Requiring individuals with disabilities to pay higher security deposits
- Stating that a unit is not available when it is
- Requiring credit checks only on Native American applicants
- Building a large, new apartment building with no accessible units
- Restricting families with children to certain buildings or floors
- Requiring a pet deposit for an assistive or service animal
- Refusing to rent to rental assistance recipients (illegal in North Dakota)
- Suggesting a person can pay for back rent with sexual favors
- Requiring criminal record checks for African Americans only
- Publishing an advertisement which indicates a limitation or preference based on status within a protected class

**FAIR HOUSING RESOURCES**

Besides the Fair Housing of the Dakotas ([www.fhdakotas.org](http://www.fhdakotas.org)), there are many other resources available to individuals who want to learn more about fair housing. You may contact the following agencies or web sites for additional information:

*U.S. Department of Housing & Urban Development/  
Fair Housing: 1-800-877-7353 ([www.hud.gov/fairhsg1.html](http://www.hud.gov/fairhsg1.html))*

*Fair Housing Advocate ([www.fairhousing.com](http://www.fairhousing.com))  
Bazelon Center for Mental Health Law  
([www.bazelon.org](http://www.bazelon.org))*

*U.S. Department of Justice/Civil Rights  
([www.usdoj.gov/crt](http://www.usdoj.gov/crt))*

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Parts of this document were adapted from the Fair Housing Council of San Diego, CA and used with their permission. The Fair Housing of the Dakotas is a private, non-profit organization that serves North and South Dakota and works to eliminate housing discrimination and to ensure equal housing opportunities for all.

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The Fair Housing of the Dakotas is located at 909 Basin Avenue, Suite 2, Bismarck, ND 58504. Phone: 701-221-2530 or 1-888-265-0907. ND TDD: 1-800-927-9275 or ND Relay: 1-800-366-6889 (voice). SD TDD: 1-866-273-3323 or SD Relay: 1-800-877-1113. Email: [info@fhdakotas.org](mailto:info@fhdakotas.org) Web: [www.fhdakotas.org](http://www.fhdakotas.org)

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