



Emerging Fair Housing Trends

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Heather Staggs, CPO™, FHC™, SHCM™, AHM

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About the Presenter

NAHMA Approved FHC™
Instructor



Heather Staggs, AHM, CPO™, FHC™

Ms. Staggs brings knowledge from both sides of the aisle. Formerly with the Colorado Housing and Finance Authority (CHFA) and, prior to that, the U.S. Department of Housing and Urban Development, she is an expert in compliance with low-income housing laws and regulations. As a long-time property manager, Ms. Staggs possesses the real-world, hands-on knowledge of applying the rules of the trade. Her experience includes:

- More than 20 years of property management experience with deep knowledge of multifamily programs and regulations, including: Fair Housing, Project Based Section 8, Low Income Housing Tax Credit, FDIC Affordable Housing Program, and FHA and Non-FHA Loan products
- Former Manager of Section 8, and Multifamily Program Compliance and Asset Management Officer with Colorado Housing and Finance Authority (CHFA)
- Former Project Manager with the U.S. Department of Housing and Urban Development
- Former Sr. Director of Property Management
- Former Community Manager/Assistant Manager with Windsor Communities / General Investment and Development
- Former District Manager with McCormack Baron Management Services and Wilhoit Properties
- Former Special Task Assignment Response Team Specialist with Property Asset Management / AIMCO
- Attended the University of Denver's Executive Leadership Program 2010-2011
- Rocky AHMA's Contract Administration Special Recognition Award for Commitment to Excellence in Affordable Housing in 2011
- Recipient of a Special Recognition Award from the Denver HUD Office 2012

Before We Begin...

DO NOT
IMPLEMENT
ANYTHING YOU
HEAR TODAY
WITH OUT
APPROVAL

*Feel Free to
Ask Questions as
We Go*

*Turn off
Cell Phones*

*Seek
Legal
Advice*

S.T.A.R Momentum
is not sponsored by
any companies
mentioned; nor do we
endorse any particular
products or services



President Lyndon B. Johnson signing
the Civil Rights Act of 1968

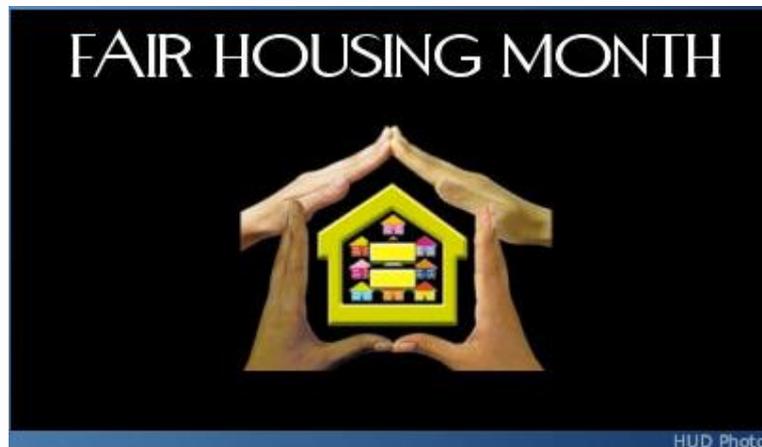
April 11, 1968

A group of diverse people, including a man and a woman, are looking up at a globe. The globe is the central focus, and the people's faces are partially visible around it, suggesting a global or multicultural theme.

Fair Housing

2014 marks the 46th anniversary of the passage of the Fair Housing Act of 1968

April is Fair Housing Month





Equality in Housing

**“Fair Housing, its not an option!
It’s the law!”**



A group of diverse people, including a woman with dark hair, a man with a beard, and a woman with blonde hair, are looking up at a globe. The globe is the central focus, and the people are positioned around it, creating a sense of global unity and shared knowledge.

The Fair Housing Act (Title VIII of the Civil Rights Act of 1968) is defined as:

- A federal law that prohibits discrimination on the basis of race, color, national origin, religion, sex, familial status, or disability in the sale, rental, and financing of dwellings and in certain other housing-related transactions.

A group of diverse people, including a woman with blonde hair, a man with a beard, and a woman with dark hair, are looking at a globe. The globe is the central focus, and the people are positioned around it, looking upwards and to the right. The image is slightly faded and serves as a background for the text.

Fair Housing Act Cont.

- The Fair Housing Act also makes it unlawful to coerce, threaten, intimidate, or interfere with any person for exercising or enjoying their fair housing rights or encouraging or aiding others in the exercise or enjoyment of their fair housing rights.



Housing Covered by Fair Housing Laws

- Rental Housing
- Multifamily Rental Housing
- Condominiums
- Cooperatives
- Mobile home Parks
- Retirement Communities
- Nursing Homes
- Assisted Living
- Supportive Housing
- Transitional Housing
- Single Room Occupancy (SROs)



A group of diverse people, including a man and a woman, are looking up at a globe. The globe is the central focus, and the people are positioned around it, looking towards it with interest. The background is slightly blurred, emphasizing the people and the globe.

Types Housing NOT Covered

- Owner occupied with 4 or less units
- Single Family homes sold or rented without the use of a Broker
- Public accommodations such as hotels
 - Extended stay hotels and SROs are covered

7 Federal Fair Housing Protected Classes

- Race



- Color



- National Origin



- Religion



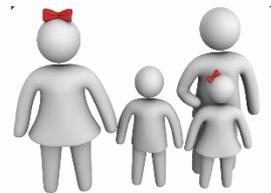
- Sex/Gender

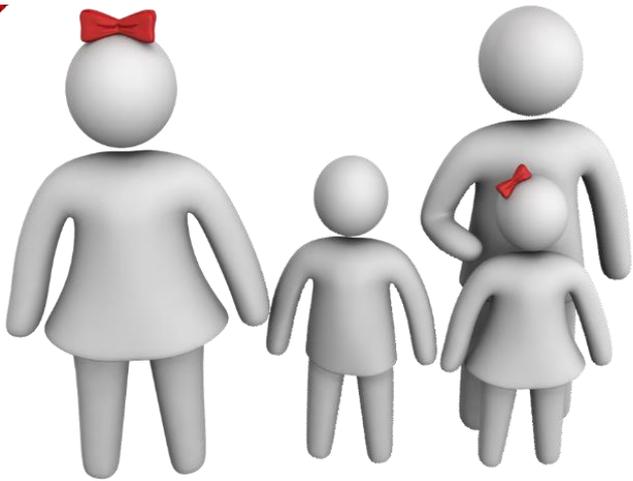


- Disability



- Familial Status







FAIR HOUSING STATS



TOTAL FAIR HOUSING COMPLAINTS FILED

	NFHA Member Complaints	FHAP Claims & Complaints	HUD Claims & Complaints	DOJ Case Filings	Total
2003	17,022	5,352	2,745	29	25,148
2004	18,094	6,370	2,817	38	27,319
2005	16,789	7,034	2,227	42	26,092
2006	17,347	7,498	2,830	31	27,706
2007	16,834	7,705	2,449	35	27,023
2008	20,173	8,429	2,123	33	30,758
2009	19,924	8,153	2,091	45	30,213
2010	18,665	8,214	1,943	29	28,851
2011	17,701	7,551	1,799	41	27,092
2012	19,680	6,986	1,817	36	28,519
2013	18,932	6,496	1,881	43	27,352

NFHA member data are for calendar year 2013. HUD, FHAP and DOJ data are for fiscal year 2013. HUD and FHAP data represent actual complaint filings, many of which may include allegations of discrimination based on multiple protected classes. DOJ data represent case filings of HUD election and enforcement cases, and pattern or practice cases. HUD, FHAP and NFHA data represent fair housing complaints received and/or investigated.

Protected Class

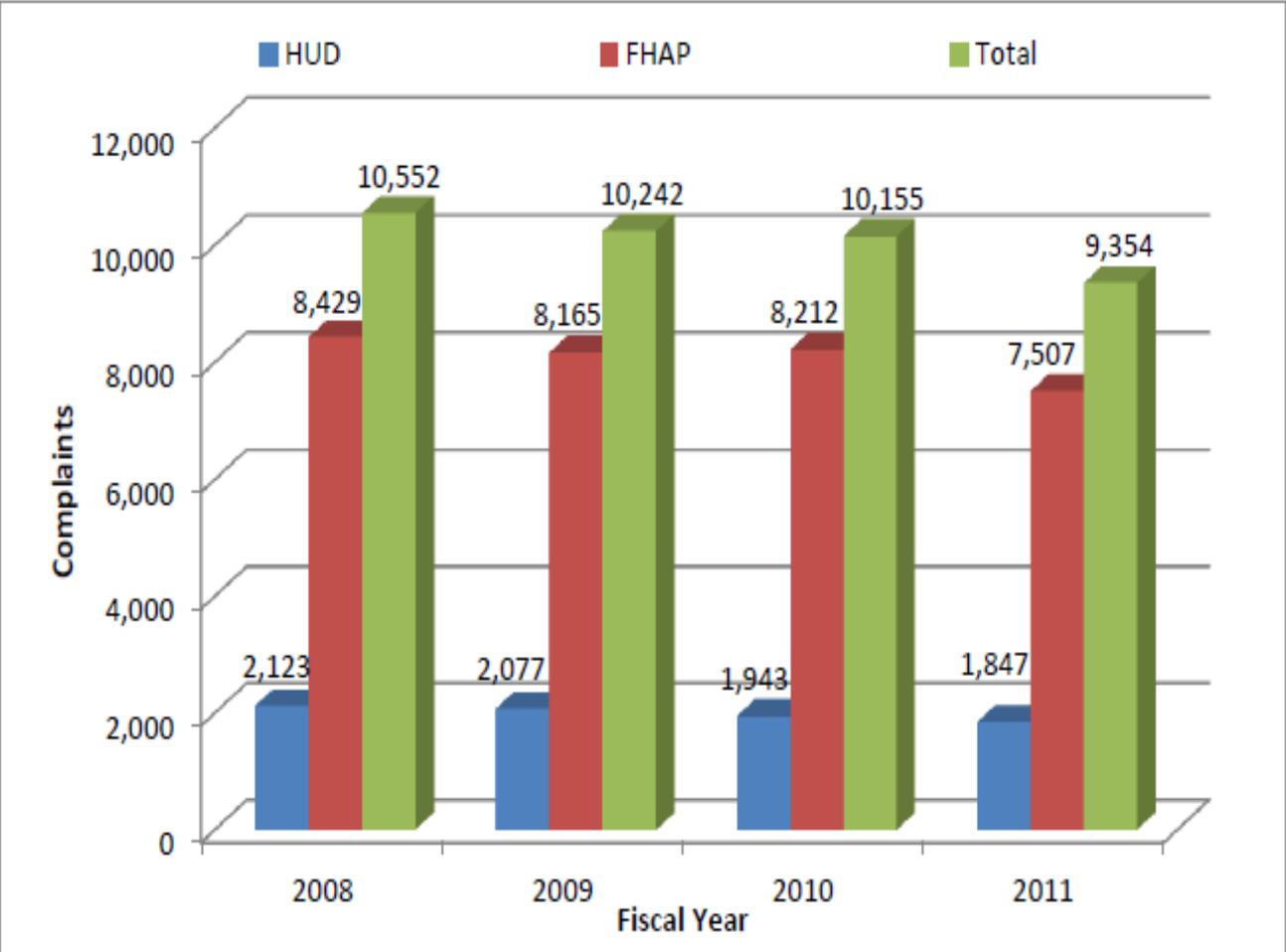
BASIS	NFHA Members	HUD	FHAPs	DOJ
Race	19.3% (3,656)	26.8% (504)	28.3% (1,838)	40% (14)
Disability	48% (9,088)	53.5% (1,006)	52.8% (3,429)	43% (19)
Familial Status	11.1% (2,097)	14.9% (280)	13.4% (868)	17% (7)
Sex	5.6% (1,064)	11.6% (219)	11.8% (767)	6% (2)
National Origin	7.1% (1,339)	25.1% (472)	18.4% (1,198)	17% (6)
Color	1.6% (301)	1.9% (36)	2.1% (135)	NA (0)
Religion	0.9% (169)	1.7% (32)	2.9% (189)	6% (2)
Other*	6.4% (1,218)	13.1% (246)	10.5% (684)	0% (0)

* The "other" category for NFHA members represents complaints arising from categories protected at the state and local levels, including age, criminal background, ancestry, "alienage," military status, victim of domestic violence, student status, lawful occupation, place of residence, family responsibility, and arbitrary. ("Arbitrary" is a catchall class under California state law in rental transactions). Retaliation complaints reported by fair housing organizations are categorized in the applicable protected class. The "other" category for HUD and FHAP complaints represents complaints of retaliation, which may not necessarily have a tracked protected class basis. NFHA member data are for calendar year 2013. HUD, FHAP, and DOJ data are for fiscal year 2013. Totals may exceed 100 percent because a single complaint may allege multiple bases of discrimination.

Table D.2: Protected Characteristics of Households Provided with Housing Assistance from Rental Subsidies and Direct Loans, for the 18-Month Period Ending September 30, 2011

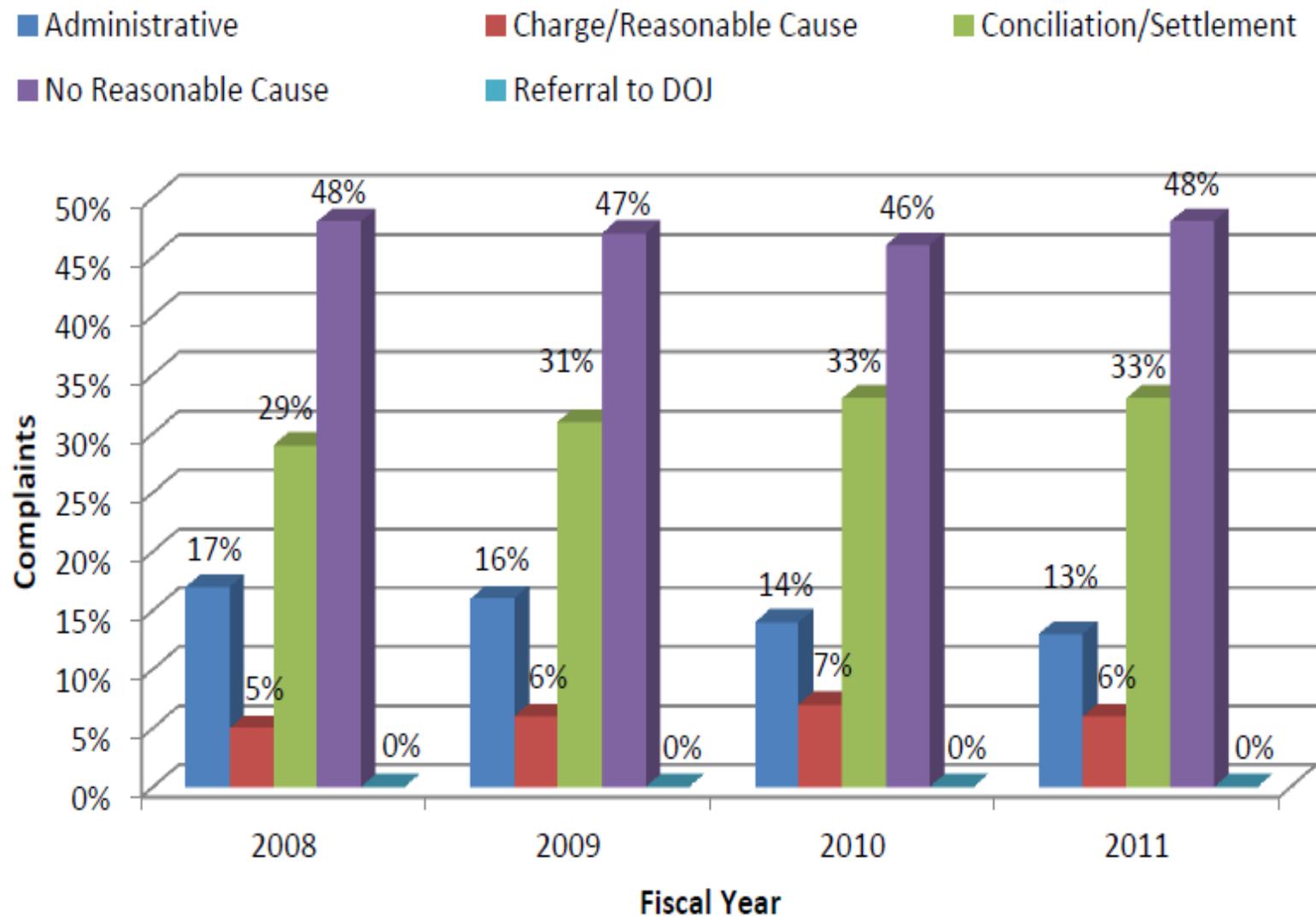
	Project-Based Sec. 8 ¹	Rent Supplement	Rental Assist. Program	Section 202 PRAC	Section 811 PRAC ²	Section 202 Direct Loan w/ Section 8
Number of Reported Households³	1,035,143	8,824	11,240	111,905	30,541	157,601
Race of Head of Household						
Black or African American	37.5%	39.6%	48.5%	24.8%	23.3%	22.5%
White	53.3%	55.4%	44.0%	61.4%	68.4%	67.6%
Asian	4.0%	1.7%	4.0%	7.2%	1.2%	4.6%
American Indian or Alaska Native	0.9%	0.4%	0.8%	0.6%	0.9%	0.5%
Native Hawaiian or Pacific Islander	0.2%	0.1%	0.1%	0.3%	0.3%	0.2%
Other	0.9%	0.5%	0.6%	0.9%	0.9%	0.6%
Multiple Race	3.2%	2.3%	1.9%	4.8%	5.0%	4.0%
Ethnicity of Head of Household						
Hispanic or Latino	14.5%	21.4%	17.8%	13.0%	5.7%	9.9%
Not Hispanic or Latino	85.5%	78.6%	82.2%	87.0%	94.3%	90.1%

Chart 1: Complaints Filed with HUD and FHAP Agencies (FY 2008-FY 2011)



Source: TEAPOTS

Chart 3: HUD and FHAP Complaint Outcomes, by Type (FY 2008-FY 2011)^{1,2}

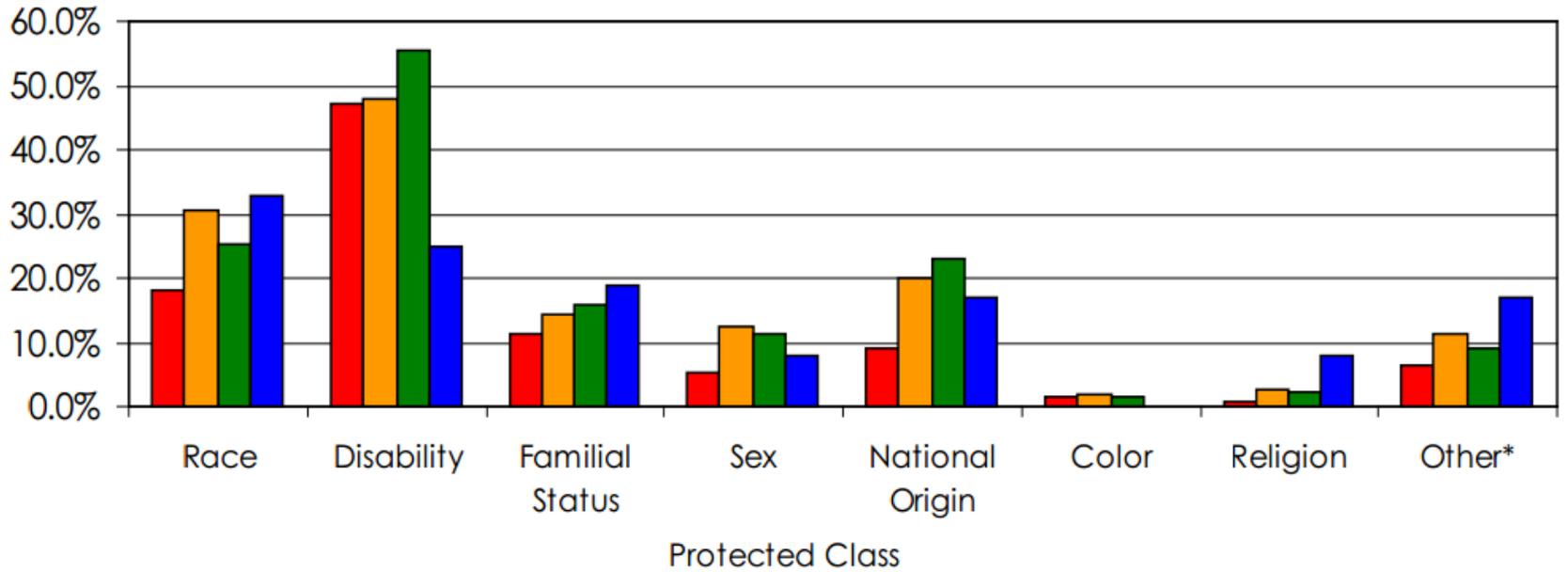


Percentages are rounded to the nearest whole number.

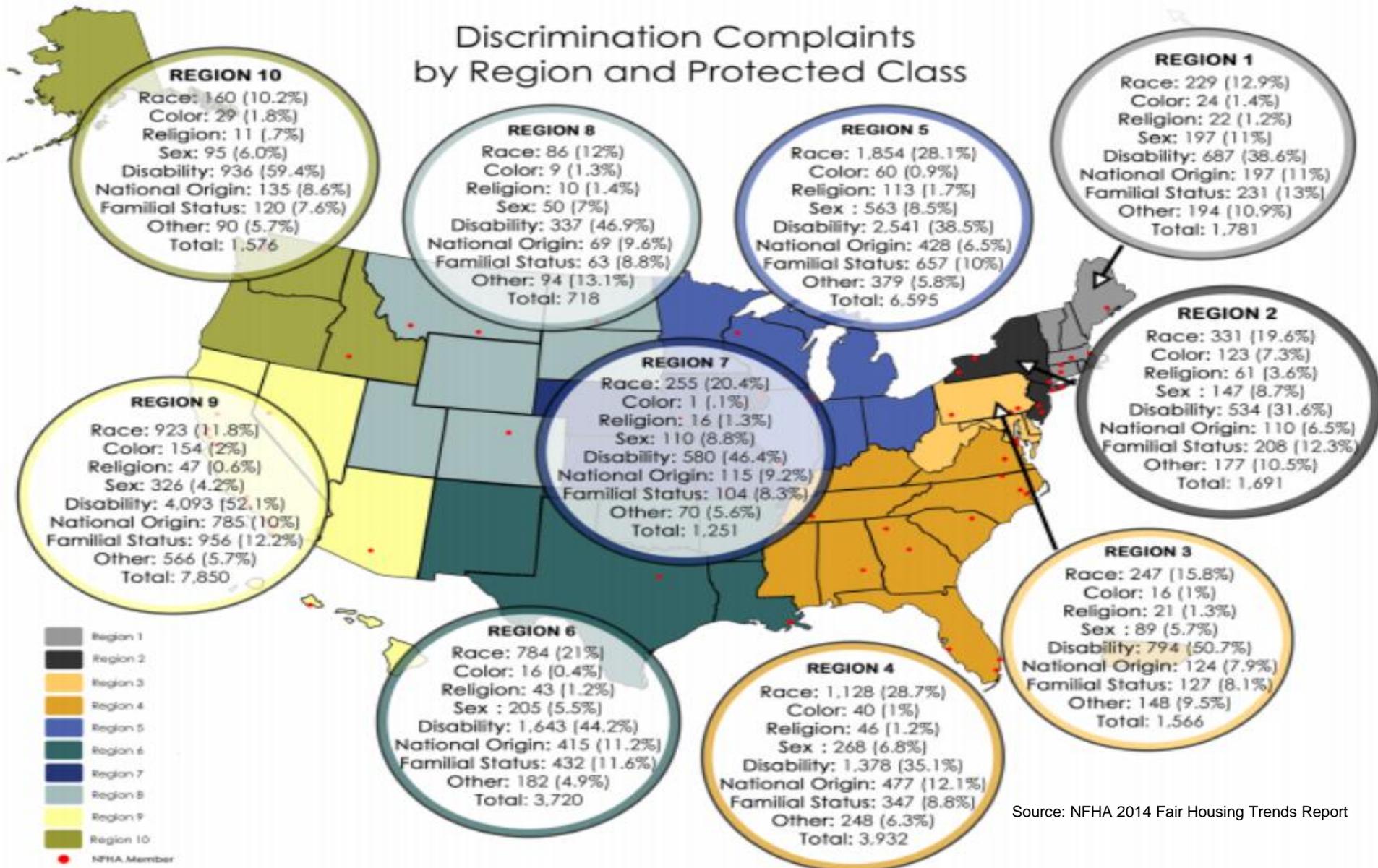
Source: TEAPOTS

Discrimination by Protected Class

■ NFHA ■ FHAPs ■ HUD ■ DOJ



Discrimination Complaints by Region and Protected Class

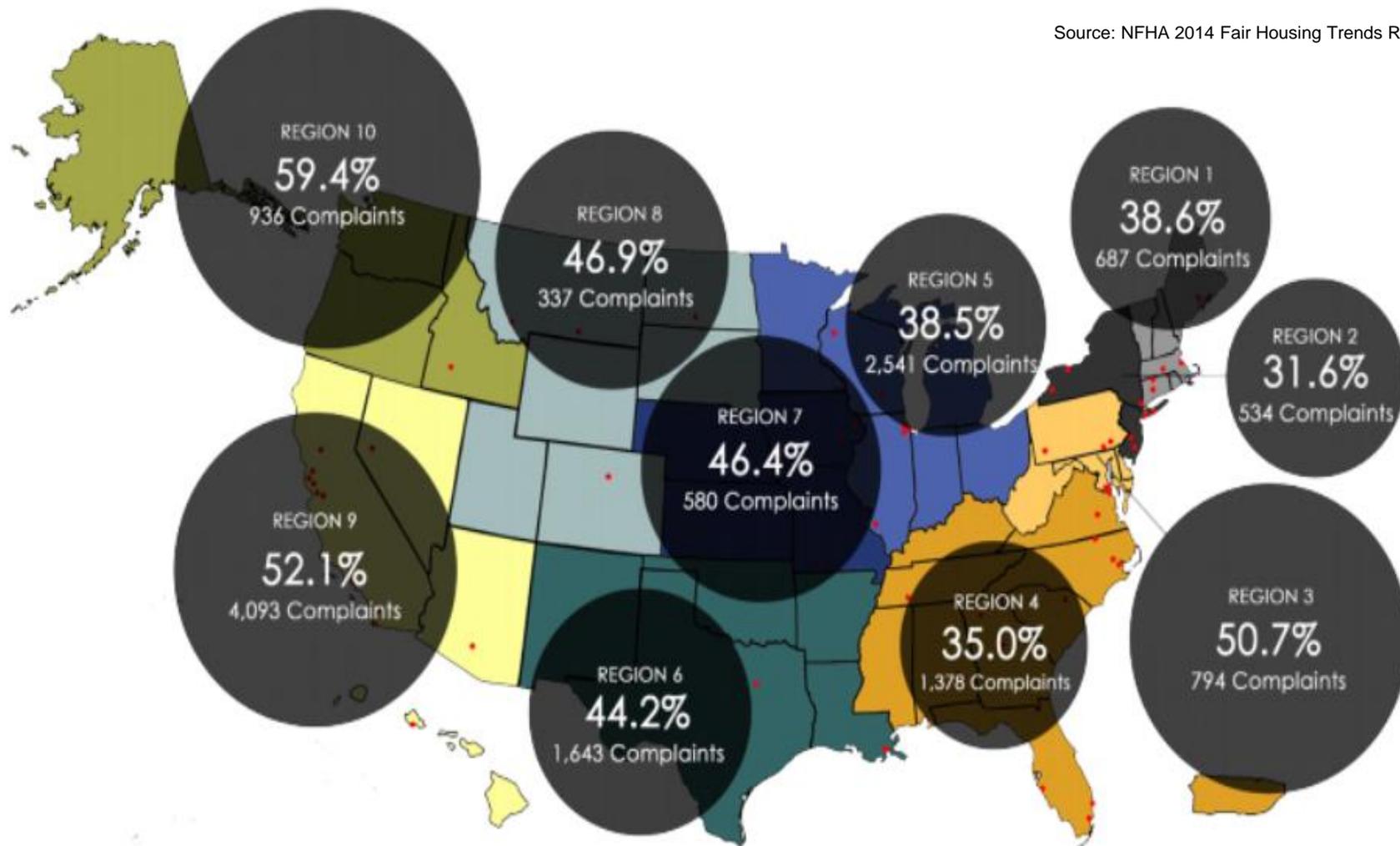


Source: NFHA 2014 Fair Housing Trends Report

Figures in this map represent allegations of discrimination categorized by protected classes. The actual number of cases reported by HUD or FHAPs may be lower due to cases with multiple class bases.

The map below shows the percentage of disability-based complaints within each region.

Source: NFHA 2014 Fair Housing Trends Report



Disability complaints made up the highest percentage share in Region 10, at 59.4 percent (936) of all complaints received in the region. The total number of complaints based on disability was highest in Region 9, where 4,093 complaints based on disability were reported.



Did you know?

- For the fiscal year 2014, the Department of Housing and Urban Development (HUD) awarded over 38 million dollars in grants to 95 agencies for Fair Housing enforcement.
- Every day, apartment owners and managers are being fined hundreds of thousands of dollars for violating the Fair Housing Act.

Fair Housing Initiatives Budget in Recent Years

Fiscal Year	FHIP Funding
2003	\$ 20.25 million
2004	\$ 20.25 million
2005	\$ 20 million
2006	\$ 20 million
2007	\$ 20 million
2008	\$ 23.5 million
2009	\$ 27.5 million
2010	\$ 42.5 million
2011	\$42 million
2012	\$42.5 million
2013	\$40.3 million
2014	\$40.1 million

A group of diverse people, including children and adults, are looking up at a globe. The image is slightly faded and serves as a background for the text.

FHEO Complaint Facts

- 48% of HUD complaints were for disability, and race coming in a close second at 32%.
- In 2011 HUD received a record 9,354 housing discrimination complaints.
- February 22, 2012 HUD and the National Fair Housing Alliance launched a media campaign to fight housing discrimination
- In 2012 a total of 28,519 housing discrimination complaints were received.

YOUR CREDIT MATTERS.
YOUR RACE DOES NOT.

LIVE FREE 

REPORT LENDING DISCRIMINATION
1-800-669-9777 TTY 1-800-927-9275
WWW.HUD.GOV/FAIRHOUSING

REFUSING TO RENT TO PERSONS BECAUSE THEY HAVE CHILDREN IS ALMOST ALWAYS AGAINST THE LAW.

LIVE FREE



REPORT HOUSING DISCRIMINATION
RACE - COLOR - NATIONAL ORIGIN - SEX - RELIGION - DISABILITY - FAMILY STATUS
1-800-669-9777 TTY 1-800-927-9275
WWW.HUD.GOV/FAIRHOUSING

YOU HAVE THE RIGHT TO LIVE WHERE YOU CHOOSE.

REPORT HOUSING DISCRIMINATION.
1-800-669-9777 TTY 1-800-927-9275
WWW.ESPAÑOL.HUD.GOV/OFFICES/FHEO
WWW.HUD.GOV/FAIRHOUSING

LIVE FREE 

“Live Free” campaign placed 87 fair housing advertisements in 45 publications in 34 cities throughout the country

REASONABLE ACCOMMODATIONS

ARE YOUR RIGHT BY LAW.

LIVE FREE 

REPORT HOUSING DISCRIMINATION
WWW.HUD.GOV/FAIRHOUSING
1-800-669-9777 TTY 1-800-927-9275







Legal Penalties for Non-Compliance

- What is thought to be the largest recovery under the Fair Housing Act to date the owners and former manager of a New York City Apartment building were ordered to pay more than \$2 million to the victims and an additional \$55,000 in civil penalties.
- In addition to the financial penalty, there were other prohibitions and training requirements put in place to help ensure this conduct is not repeated.

A group of diverse people, including a man and a woman, are looking at a map. The image is partially obscured by a white semi-transparent box containing text.

Fair Housing

- Owners **MUST** display Fair Housing Posters 11" X 14"
- Any property built after March 13, 1991 with 4 or more units must contain certain design requirements



**EQUAL HOUSING
OPPORTUNITY**

**We Do Business in Accordance With the Federal Fair
Housing Law**

(The Fair Housing Amendments Act of 1988)

**It is illegal to Discriminate Against Any Person
Because of Race, Color, Religion, Sex,
Handicap, Familial Status, or National Origin**

- In the sale or rental of housing or residential lots
- In the provision of real estate brokerage services
- In advertising the sale or rental of housing
- In the appraisal of housing
- In the financing of housing
- Blockbusting is also illegal

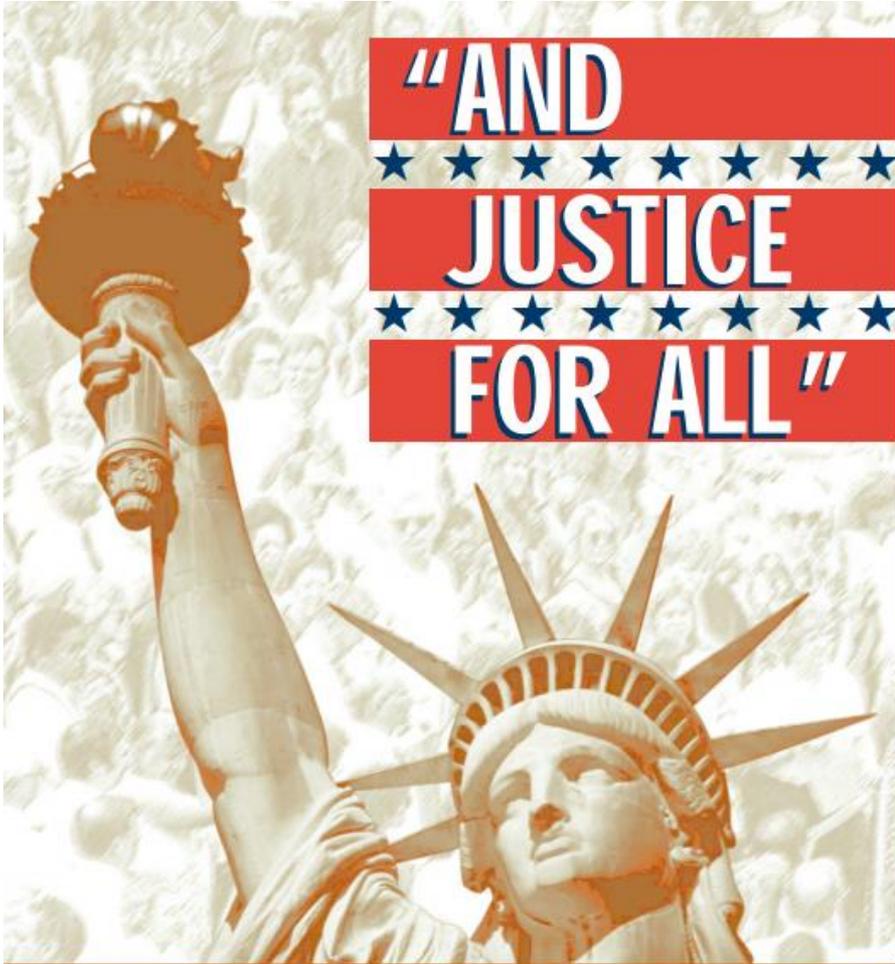
Anyone who feels he or she has been discriminated against may file a complaint of housing discrimination:

1-800-669-9777 (Toll Free)

1-800-927-9275 (TTY)

U.S. Department of Housing and
Urban Development
Assistant Secretary for Fair Housing and
Equal Opportunity
Washington, D.C. 20410

REQUIRED
POSTER FOR
RURAL
DEVELOPMENT
PROPERTIES



**“AND
★ ★ ★ ★ ★ ★ ★ ★
JUSTICE
★ ★ ★ ★ ★ ★ ★ ★
FOR ALL”**

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, gender, religion, age, disability, political beliefs, sexual orientation, and marital or family status. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at (202) 720-2600 (voice and TDD).

To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, Room 326-W, Whitten Building, 14th and Independence Avenue, SW, Washington, DC 20250-9410 or call (202) 720-5964 (voice and TDD). USDA is an equal opportunity provider and employer.

El Departamento de Agricultura de los EE. UU. (USDA, siglas en inglés) prohíbe la discriminación en todos sus programas y actividades a base de raza, color, origen nacional, género, religión, edad, impedimentos, credo político, orientación sexual, estado civil o familiar. (No todas las bases de prohibición aplican a todos los programas.) Personas con impedimentos que requieran medios alternativos de comunicación para obtener información acerca de los programas (Braille, tipografía agrandada, cintas de audio, etc.) deben ponerse en contacto con el Centro TARGET de USDA llamando al (202) 720-2600 (voz y TDD).

Para presentar una queja sobre discriminación, escriba a USDA, Director, Office of Civil Rights, Room 326-W, Whitten Building, 14th and Independence Avenue, SW, Washington, DC 20250-9410, o llame al (202) 720-5964 (voz y TDD). USDA es un proveedor y empleador que ofrece oportunidad igual a todos.

USDA
United States Department of Agriculture • March 1996

Form AD-175A (Revised 3-96)

Non-discrimination Clause/Logo

- The Fair Housing Act doesn't require that a nondiscrimination clause/logo be used. It says this **should** be used; however, there is a program covered by HUD Handbook 4350.3 REV-1 it is a **must** to use the Fair Housing Logo, statement, or slogan.



**EQUAL HOUSING
OPPORTUNITY**



Non-discrimination Clause/Logo

- Also, a property receives federal dollars it is required to use a statement of nondiscrimination on the basis of disability in any recruitment or informational material.
- Recipients with 15 or more employees have an ongoing obligation to notify applicants, tenants and employees that they don't discriminate on the basis of disability.
 - The notice must also include the name of the person responsible for coordinating its compliance efforts under Section 504 of the Rehabilitation Act.





What's New...



A group of diverse people, including children and adults, are looking up at a globe. The image is slightly faded and serves as a background for the text.

Final Rule: Equal Access to Housing in HUD Programs Regardless of Sexual Orientation or Gender Identity

- **DATES:** *Effective Date:* March 5, 2012.
- Clarifies that all otherwise eligible families, regardless of marital status, sexual orientation, or gender identity, will have the opportunity to participate in HUD programs. In the majority of HUD's rental and homeownership programs the term "family" already has a broad scope, and includes a single person and families with or without children. HUD's rule clarifies that otherwise eligible families may not be excluded because one or more members of the family may be an LGBT individual, have an LGBT relationship, or be perceived to be such an individual or in such relationship.

A group of diverse people, including children and adults, are looking up at a globe. The globe is the central focus, and the people are positioned around it, creating a sense of global unity and shared concern.

Final Rule: Equal Access to Housing in HUD Programs Regardless of Sexual Orientation or Gender Identity

- Prohibits owners and operators of HUD-assisted housing or housing insured by HUD from asking about an applicant or occupant's sexual orientation and gender identity for the purpose of determining eligibility or otherwise making housing available. In response to comments on the proposed rule, HUD has clarified this final rule to state that this provision does not prohibit voluntary and anonymous reporting of sexual orientation or gender identity pursuant to state, local, or federal data collection requirements.

Disparate Impact

- Adverse effect of a practice or standard that is neutral and non-discriminatory in its intention but; nonetheless, disproportionately affects individuals having a disability or belonging to a particular group based on their age, ethnicity, race, or sex.





Reasonable Accommodations





Persons with Disabilities



A group of diverse people, including a woman with a white headscarf, a man with a beard, and a woman with a red headscarf, are looking up at a globe. The globe is the central focus, and the people are positioned around it, looking towards the top of the frame.

Who is Considered Disabled?

- Anyone with a physically or mental impairment and at least one or more major life activities are substantially limited. (Includes hearing, mobility and visual impairments, chronic alcoholism, chronic mental illness, AIDS, AIDS Related Complex or an **intellectual disability**)
- Anyone has had a record of such a disability;
or
- Is regarded as having such a disability

A group of diverse people, including a woman with a red and white striped shirt, are looking up at a globe. The image is faded and serves as a background for the text.

Section 504

- Section 504 of the Rehabilitation Act of 1973 offers additional protections that the Fair Housing Act does not provide.
- It also allows each federal agency to develop its own regulations
 - Rural Development's regulations are found at 7 C.F.R. § §15b.1 – 15b.42
 - HUD's can be found at 24 C.F.R. Part 8

A group of diverse people, including a woman with a red and white striped shirt, are looking up at a globe. The image is faded and serves as a background for the text.

Section 504

- Section 504
 - The Act states that it is illegal to discriminate against “otherwise qualified disabled individuals” defined as having a physical or mental impairment
 - What is an “otherwise qualified disabled individual”
 - This person must meet the necessary eligibility requirements of the program to qualify for protection under 504.



Section 504 of the Rehabilitation Act Applies to:

- Properties that receive federal funds
 - **Rural Housing Section 515**
 - Section 8
 - HOME Funds
 - McKinney Act Funds
 - CDBG funds



Section 504

- Section 504
 - Some additional programs are:
 - Project Based Section 8
 - Mod-Rehab
 - HUD RAP or Rent Supplement
 - Section 202/811
 - Below Market Interest Rate Loans
 - HUD 236
 - HUD 221 (d)3, 221(d)4 and 223(f) loans





When Section 504 Applies to the Tax Credit Program

- **4% Tax Credit (With Federal Subsidy)** Section 504 Applies in addition to the Fair Housing Act
- **9% Tax Credit (Without Federal Subsidy)** only the Fair Housing Act applies



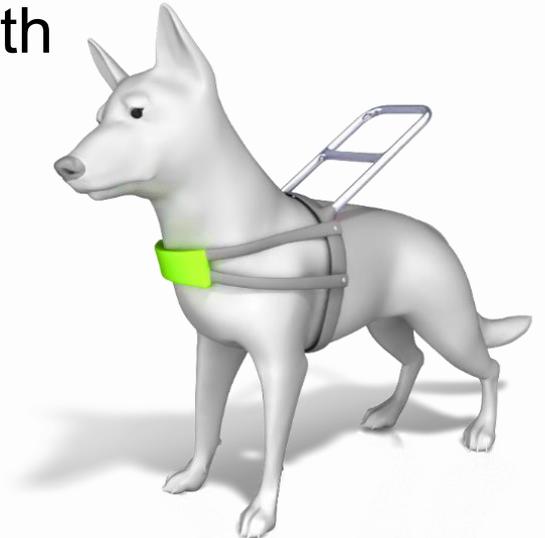


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- Anyone has had a record of such a disability;
or
- Is regarded as having such a disability

Accommodating Persons With Disabilities

- The Federal Fair Housing Act requires housing providers to make “reasonable accommodations” for persons with disabilities.





Accommodating Persons With Disabilities

- Reasonable accommodations of rules, policies, services or practices must be allowed to afford a person with a disability the opportunity to enjoy the unit or common areas of the building.



Accommodating Persons With Disabilities

- Section 504 makes it a requirement to provide reasonable accommodations and the owner is **required to pay** for reasonable modifications to the unit to enable the person to have equal opportunity to enjoy his or her housing.

A group of diverse people, including a man and a woman, are looking up at a globe. The image is slightly faded and serves as a background for the title.

Accommodating Persons With Disabilities

- Three standards for determining what is “reasonable” have been set through regulations and court decisions. The person’s request with a disability must not be:
 - An undue financial burden
 - An undue administrative burden
 - Substantially alter the nature of the offered housing
- Must be able to justify or back-up decision of denial.
 - Bids
 - Financials
 - Other documentation

A group of diverse people, including a woman with blonde hair, a man with a beard, and a woman with dark hair, are looking up at a large globe. The globe is the central focus, and the people are positioned around it, looking towards it with interest. The background is a soft, out-of-focus light blue and white.

Exception

Reasonable accommodations need not be made available to a person who is a direct threat to the health or safety of others or who currently use illegal drugs

1. The Act does not allow for exclusions of individuals based upon fear speculation, or stereotype about a particular disability or persons with disabilities in general.
2. A determination that an individual poses a direct threat must rely on an individualized assessment that is based on reliable objective evidence such as current conduct or a recent history of overt acts.
3. You should always contact your property management attorney.

A group of diverse people, including a woman with a prosthetic hand, looking up at a globe. The image is faded and serves as a background for the title.

Accommodating Persons With Disabilities

- Owners and management agents cannot require that an applicant or resident provide the request for a reasonable accommodation in writing.
- If an owner or management agent denies a reasonable accommodation request they should engage in a dialogue with the resident as well as offer a reasonable solution.
- Owners and management agents must provide a prompt response agreeing to or denying the request.



Accommodating Persons With Disabilities

- Owners and/or management agents must have written reasonable accommodation policies and procedures.
- Owners and/or management agents should have a statement that person's with disabilities are entitled to request a reasonable accommodation.



Examples of Reasonable Accommodations

- Allowing an assistive animal.
- Having dumpsters delivered that have an opening on the front in addition to an opening on top.
- Assigning a dedicated parking space to someone with a mobility impairment.
- Allowing a person to have a Live-in Aide.
- Allowing for a larger apartment for medical equipment or a Live-in Aide.

A group of diverse people, including a man in a suit and a woman, are looking at a globe. The image is slightly faded and serves as a background for the top portion of the slide.

PROOF OF DISABILITY

- Generally you can request proof that the person meets the FHA's definition of disabled when disability is not obvious.
- You can ask "if" not "what"
- You can not request proof when the disability is obvious.



A group of diverse people, including a man and a woman, are looking up at a globe. The image is partially obscured by a white semi-transparent box containing text.

Live-in Aides

- The applicant or resident must be disabled to request the Live-in Aide
- Always verify the need
- The Live-in Aide cannot be a spouse
- You must screen the live-in aide.



The Americans with Disabilities Act of 1990 (ADA)

- The Americans with Disabilities Act of 1990 (ADA) prohibits discrimination and ensures equal opportunity for persons with disabilities in employment, State and local government services, public accommodations, **commercial facilities**, and transportation.
- It also mandates the establishment of **TDD/telephone relay services**.

A group of diverse people, including a young girl, a woman, and a man, are looking up at a globe. The globe is the central focus, and the people are positioned around it, looking towards it with interest. The background is a soft, light blue color.

ADA

- **“The Americans with Disabilities Act:** In most cases, the ADA does not apply to residential housing. Rather, the ADA applies to places of public accommodation such as restaurants, retail stores, libraries, and hospitals as well as commercial facilities such as offices buildings, warehouses, and factories.
- However, Title III of the ADA covers public and common use areas at housing developments when these public areas are, by their nature, open to the general public. For example, it covers the rental office since the rental office is open to the general public.”

A group of diverse people, including a woman with a blue headscarf and a man with a white shirt, are looking up at a globe. The image is slightly blurred and has a soft, ethereal quality.

ADA

- “Title II of the ADA applies to all programs, services, and activities provided or made available by public entities. This includes housing when the housing is provided or made available by a public entity. For example, housing covered by Title II of the ADA includes public housing authorities that meet the ADA definition of “public entity,” and housing operated by States or units of local government, such as housing on a State university campus.”

WWW.HUD.Gov



FHA and the ADA

- The Fair Housing Act's design and construction requirements do not preempt the ADA and in those cases where a development is subject to more than one accessibility standard, the laws and the standards must be read together and followed together.

A group of diverse people, including a man and a woman, are looking up at a globe. The image is slightly faded and serves as a background for the text.

FHA and ADA “Service Animals”

- ADA limits the definition of Service Animal to a dog. The definition of Service Animals also does not include emotional or support animals.
- FHA and Section 504 allow for a reasonable accommodation for an assistance animal.

Assistance Animals

- An assistance animal is not a pet
- The animal can provide a service, assistance, emotional support or companionship.
- The animal must work, provide assistance, or support that alleviates one or more identified symptoms or effects of a persons disability.
- The animal need not be trained or certified.



A group of diverse people, including a woman with a red and white striped shirt, are looking up at a globe. The image is faded and serves as a background for the text.

Assistance Animals

- There must be a connection between the person's disability and the need for the service animal.
- You cannot impose conditions or restrictions on assistance animals that you would on pets for example:
 - You cannot charge a deposit
 - You cannot limit weight, size or breed

A group of diverse people, including a woman with a white headscarf and a man with a beard, are looking up at a globe. The globe is the central focus, and the people are positioned around it, looking towards the top of the frame. The background is a light, neutral color.

Assistance Animal

- The only permissible reasons to deny and assistance animal:
 - 1. The animal poses a direct threat to the health or safety of others that cannot be reduced or eliminated by a reasonable accommodation
 - 2. The animal would cause substantial physical damage to the property of others

A group of diverse people, including a woman with a beard, a woman with blonde hair, and a man with a mustache, are looking up at a globe. The globe is the central focus, and the people are positioned around it, suggesting a global or multicultural context.

Assistance Animal

- The only permissible reasons to deny and assistance animal:
 - 3. The presence of the assistance animal would pose an undue financial and administrative burden to the provider, or
 - 4. The presence of the assistance animal would fundamentally alter the nature of the provider's services

QUIZ



- Advertising
- Legal
- Illegal
- True
- False



Fair Housing in Advertising

Do you think the following advertisements are legal or illegal?

- I • Huge apartments in upscale neighborhood. Convenient to the Christian Academy and Christ the King High School.
- I • Mother-in-law suite for one female in Capital Hill mansion.
Four units or less, must be owner-occupied this would be allowed if not advertised.
- I • No pets. Guide and service animals OK with 40 lb. limit.



L Beautiful one bedroom with awesome views and walk-in closet.

I One bedroom in quiet, nonsmoking building. One person only.

L Fully accessible apartment for qualified disabled person(s).

I Upscale downtown loft perfect for young couples or singles looking for awesome nightlife. We will consider children.



Fair Housing Headaches

Legal or Illegal

- L Using the term Master Bedroom in an ad for your community?
- L Credit and Criminal background checks required. Felony convictions in the last seven years or felony convictions for crimes of violence at any time are automatic grounds for disqualification.
- L/I Sorry, we do not accept Section 8.



Fair Housing Headaches

Legal or Illegal

- I Family income must be three times the monthly rent. Single roommates must each earn three times the monthly rent.
- I Rents for a one bedroom apartment are \$550, \$625 for a two bedroom, plus \$50 for each person over two in the apartment.



True or False?

- F** • A manager can refuse to lease to a single parent with children because their community does not have a playground facility for the children.
- F** • An individual can take up to five years after the alleged discriminatory housing practice occurs to file a complaint.

One year to make a complaint to the State Division of Civil Rights & HUD. Two years to file in State or Federal Court.



True or False?

- T** You should not ask how many children will be living in the unit?
- F** The following terms violate the Fair Housing Act... "Master Bedroom", "Mother-in-law Suite", "Walk-in Closet"?

A group of diverse people, including a man and a woman, are looking up at a globe. The globe is the central focus, and the people are positioned around it, looking towards the top of the frame. The image is slightly faded and serves as a background for the text.

Fair Housing Quiz: T or F?

- F** • You may collect a deposit and have a resident sign Pet Rules for their companion or service animal?
- T** • An applicant that is HIV positive is protected under the Fair Housing

A group of diverse people, including a woman with a red and white striped shirt, are looking at a globe. The image is partially obscured by a white overlay containing text.

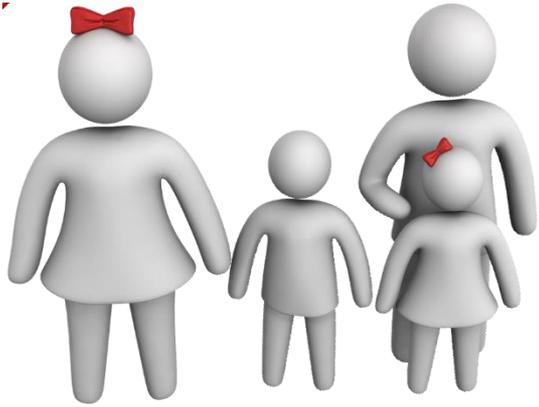
Fair Housing Quiz: T or F?

- F** • You can decide to offer only the available units away from the playground to an applicant that has no children and wants a quiet area?
- T** • Management must never make exceptions to your qualifying criteria.
- T** • The Fair Housing Act makes it unlawful “to impose different terms, conditions or privileges on members of protected classes.”

A group of diverse people, including a man and a woman, are looking up at a globe. The globe is the central focus, and the people's faces are partially visible around it, suggesting a global or multicultural context.

Fair Housing Quiz: T or F?

- T** • A resident may keep a pot-bellied pig as a companion/ service animal as long as they have a prescription.
- F** • It is acceptable to ask a prospective resident how many adults and how many children will be living in the apartment home.





- List the seven (7) federally protected classes under the Fair Housing Act.

1. Familial Status
2. Race
3. National Origin
4. Disability
5. Sex
6. Color
7. Religion



**THANK
YOU**

M.S.T.A.R. **MOMENTUM**

Training and Consulting for Affordable Housing Professionals



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