

WHAT ARE MY FAIR HOUSING RESPONSIBILITIES AS A LANDLORD?

Tenant selection should be based on consistent screening criteria (such as income information, past rental history, credit history, etc). Many landlords use screening services to gather information. All applicants should follow the same procedures and be asked the same questions.

Landlords cannot use discriminatory advertising (asking for adults only or no Section 8, etc.). Landlords cannot reject applications on the basis of race, color, religion and all other protected categories identified in the DC Human Rights Act.

Landlords are entitled to send termination notices, and proceed with court evictions for lease violations however, they must do so in a consistent manner. Treating people with disabilities more harshly is a violation of the Fair Housing Act

Landlords should not discourage applicants from applying or can not place applicants in specific rental units or on a particular floor based on their race, familial status, disability etc. All property owners and their employees must comply with these laws.

Section 504 of the Rehabilitation Act of 1973 requires that all programs receiving federal funding, whether they are services or housing must be accessible to persons with disabilities.

Notice of Non-Discrimination

In accordance with the DC Human Rights Act of 1977, as amended, DC Official Code Section 2-1401.01 et seq., (Act) the District of Columbia does not discriminate on the bases of color, race, national origin, sex, age, marital status, personal appearance, sexual orientation, familial status, family responsibilities, matriculation , political affiliation, disability, source of income, or place of residence or business. Sexual harassment is a form of sex discrimination which is also prohibited by the Act. Discrimination in violation of the Act will not be tolerated. Violators will be subject to disciplinary action.



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FAIR HOUSING BEST PRACTICES



**FOR
PROPERTY MANAGERS**

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THE OFFICE OF HUMAN RIGHTS seeks to eliminate discrimination, increase equal opportunity and protect human rights in the District of Columbia. To accomplish its mission, the Office enforces the D.C. Human Rights Act of 1977 and other laws and policies on nondiscrimination. The office is the advocate for the practice of good human relations and mutual understanding among the racial, ethnic and religious groups in the District of Columbia.

THE DC HUMAN RIGHTS ACT OF 1977, AS AMENDED, is the local equivalent of the federal fair housing laws. However it also includes additional protected classes:

Marital/Familial Status, Personal Appearance, Place of Residence/Business, Sexual Orientation, Family Responsibility, Political Affiliation, Matriculation, Source of Income and Gender Identification and/or Expression.

THE FAIR HOUSING ACT (42 U.S.C. 3601 ET SEQ., TITLE VII I OF THE CIVIL RIGHTS ACT OF 1968 AND THE FAIR HOUSING AMENDMENT S ACT OF 1988) prohibits discrimination in the sale, rental, or financing of housing on the bases of race, color, national origin, religion, sex, disability and familial status (*including children under the age of 18 living with parents or legal custodians; pregnant women and people securing custody of children under 18*).



WHAT OTHER OBLIGATIONS DO LANDLORDS HAVE TO THEIR TENANTS?

- Tenants must not be offered different rental terms, conditions and privileges or charged extra deposits or fees, because of their protected class. All tenants must have equal access to any on-site facilities and equal treatment with respect to repairs.
- Any harassment of a tenant by an owner, manager, maintenance person, or neighboring tenant because of their protected class is prohibited. This includes all forms of sexual harassment.
- Evictions which are motivated by discrimination based on a particular protected class are also illegal.
- Landlords are not permitted to place unreasonable restrictions on children's activities. Landlords may have rules and guidelines which reasonably regulate the conduct of all tenants with regard to noise and treatment of the property.

OCCUPANCY STANDARDS

Landlords should be aware of both the DC and HUD occupancy standards (the number of persons allowed per bedroom). HUD recommends a standard of two persons per bedroom. DC occupancy standard requires 70 sq ft per the first person occupying a bedroom and 50 sq ft for each additional individual occupying the same bedroom.

- Additional persons should be permitted if there is substantial square footage or additional rooms which could be easily utilized as bedrooms (den areas etc.)
- Landlords can not delegate families with children to first floor units or designated buildings.

DISABILITY

Landlords should not ask questions about an applicant's disability. They can only be asked the same questions asked of all other applicants. Any information an applicant with a disability gives their landlord must be kept confidential and can be not shared with other tenants. People with disabilities should have an equal opportunity to live where they want, and not be subjected to rules or requirements that are different from those applied to people without disabilities.

- Housing providers must respect the unique needs and circumstances of individuals with disabilities and offer reasonable accommodations to meet these needs when requested.
- A reasonable accommodations may include a parking space close too an apartment, a wheelchair ramp or a service animal. Tenants are responsible for requesting any accommodation from their landlord. If a structural modification of the dwelling is required, the tenant is usually responsible for any associated costs.

A landlord can request the disabled individual to provide documentation of their disability from a medical professional stating the person has a disability and the disability is related to the housing accommodation request.

SECTION 504 OF THE REHABILITATION ACT OF 1973

Section 504 contains design requirements applicable to federally funded new construction public housing or assisted housing with five or more units in the same project constructed after July, 1988. It states that a certain percentages of the housing must be fully accessible to persons with physical impairments (5%) and visual impairments and/or hearing impairments (2%). It also grants the right to request and receive reasonable accommodations and modifications at no cost to the tenant.