

What is “Fair Housing?”

Federal, state, and local laws prohibit discrimination based on protected class in all housing transactions.

All rental units are covered by these laws—large complexes, smaller communities, mobile home parks, single family homes, etc.

All housing providers are responsible for knowing and following these laws and may also be held legally responsible for any employees’ or contractors’ behavior.

Fair housing laws apply to everyone—every one belongs to one or more protected class.

What are the Protected Classes?*

-Race	(federal)	-Age over 18	(varies)
-Color	(federal)	-Sexual Orientation	
-Religion	(federal)	-Gender Identity	
-National Origin	(federal)	-Type of Occupation	(varies)
-Sex	(federal)	-Ethnicity	(varies)
-Familial Status	(federal)	-Ancestry	(varies)
-Mental/Physical Disability	(federal)		
-Marital Status	(state)	-Domestic Partnership	(varies)
-Source of Income	(state)		

For more information visit <http://www.fhco.org> and click on the “brochures” link to access “Protected Classes in Oregon” or “Protected Classes in Washington” for a breakdown by jurisdiction.

What Does this Mean to Me?

Applicant selection and treatment of renters should be based on consistent screening criteria and standard policies.

Basing rental decisions on personal stereotypes is not good business and treating applicants or renters differently because of their protected class status is illegal.

It’s Okay to Select Renters on the Basis of:

- Past history (credit reports, references, etc.)
- Ability to pay rent on time,
- Ability to take care of the property and respect the rights of neighbors

Many landlords use screening services to gather this information. All applicants should follow the same procedures and be asked the same series of questions.

You Should Know

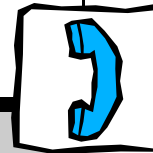
...that fair housing laws apply to all housing providers including owners, sellers, sales brokers, managers, leasing and maintenance staff, lenders, appraisers, insurers, etc. It even extends to employees, contractors and representatives.

These laws protect all housing consumers—renters, buyers, loan applicants, etc.—from intentional or unintentional discrimination based on protected class status.

Where can I learn more?

This brochure offers a brief overview of fair housing law. To learn more, file a complaint, or schedule fair housing training in your area, contact:

Fair Housing Council of Oregon	
Phone:	(503) 223-8197 1-800-424-3247 (TTY)
Web:	http://www.fhco.org
E-mail:	Information@fhco.org
U.S. Dept. of Housing & Urban Development Fair Housing & Equal Opportunity Information Line:	
Phone:	1-800-877-0246
Web:	http://www.hud.gov



Advertise Your Vacancies at www.HousingConnections.org

- A service FREE for housing providers in the Portland/Vancouver region
- Landlords have placed over 59,000 units on the site
- Renters conduct 3,500 - 4,000 searches weekly
- Weekly reminders to update listing and availability
- Automatically generated map highlights local amenities
- Upload pictures, floor plans, application forms and more
- Promoted to housing consumers via hundreds of ads in the Oregonian, on Tri-Met buses, in other local media
- Available in Clackamas, Clark, Multnomah, and Washington Counties

FAIR HOUSING GUIDE



FOR LANDLORDS

Information prepared by:



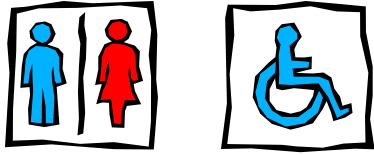
Serving Oregon and SW Washington

1-800-424-3247
503-223-8197 (TTY)
www.fhco.org
information@fhco.org

1020 SW Taylor Street, Suite 700
Portland, Oregon 97205-2512

Your Responsibilities

It is illegal to base rental terms, fees or deposits, conditions or privileges on one's protected class. All renters must have equal access to any on-site facilities and equal treatment in respect to repairs.



Why follow fair housing laws?

There are stringent penalties for those found guilty of violating fair housing laws. Landlords who fail to comply may face fines of up to \$50,000; resulting civil lawsuits may be even higher.

Ignorance of the laws is not a defense. All landlords are responsible for familiarizing themselves with fair housing laws, just as they are landlord/tenant laws and other regulations that affect housing transactions.

Discriminatory advertising ("adults only," or "Christians only," etc.) is illegal. Landlords who discourage applicants from moving in or steer them to specific areas based on their race, familial status, etc. are violating the law.

Harassment

Harassment based on one's protected class is prohibited, including all forms of sexual harassment. Evictions motivated by discrimination are also illegal.

Families with Children

It is illegal to refuse to rent to applicants because they have children in their household. Landlords may have rules that reasonably regulate the conduct of all renters with regard to noise and the care and treatment of the property. However, landlords can not place unreasonable restrictions on children's activities. (For example: setting arbitrary curfews, restricting children from venturing beyond their own patios, etc.).



Occupancy Standards

Occupancy standards—the number of persons allowed per bedroom—can not be different for children than adults. Note that familial status protects pregnant women as well as those adopting, fostering, etc.

In Oregon, occupancy standards can not be more restrictive than two persons per bedroom. The Fair Housing Council conservatively recommends HUD's "2+1 rule;" that is, two people per bedroom plus one extra.

Who sleeps where is up to the family and should not be of concern to landlords. Landlords may not require children of different genders to have separate bedrooms. Additional occupants should be permitted if there is substantial square footage or additional rooms which could easily be used as bedrooms.

Disabilities

Applicants with disabilities have the right to medical privacy and it is, therefore, illegal under fair housing laws to ask questions about their disabilities.

Landlords may only ask questions they ask routinely of all other applicants.. Any information an applicant with a disability chooses to share must be kept strictly confidential. This is true for existing renters as well as new applicants.

Some renters with disabilities may have special needs and require a "reasonable accommodation" to the rules and policies, or a "reasonable modification" in order to have equal access to and enjoyment of the dwelling and common facilities.

Renters must request any modifications or accommodations they might need. Landlords may ask for verification that the request is needed and related to their disability.

Reasonable accommodations might include a parking space close to an apartment, a wheelchair ramp, a seeing eye dog or other assistance animal. Such assistance or companion animals are may not be treated as a pet under fair housing law.

If a structural modification of the dwelling is required, the renter is ordinarily responsible for paying for it. If the landlord wants the dwelling converted back to its original state after the renter moves out, the renter may be required to do so.

Additional Landlord Resources

Landlord/Tenant Law:

In addition to fair housing laws, state laws regulate the landlord-tenant relationship and spell out the rights and responsibilities of both landlords and renters. These laws cover such practices as:

- Fees and deposits,
- Repairs,
- Written notices,
- Eviction procedures,
- The landlord's right to enter the rental unit, etc.

For detailed information on these laws, contact a landlord/tenant attorney or one of the landlord trade associations listed below.

The Oregon State Bar Association Referral Service (800-452-7636) can provide a list of landlord/tenant attorneys.

Legal Aid Services of Oregon's booklet "Landlord/Tenant Law in Oregon" is available at: www.oregonlawhelp.org.

Landlord Trade Associations:

Clark County Rental Association

(360) 693-2272
<http://clarkcountyrentalassociation.org>

Metro Multifamily Housing Association

(503) 226-4533 admin@metromultifamily.com
www.metromultifamily.com

Oregon Landlord Support Association

(503) 866-6572 olsassociation@qwest.net

Oregon Rental Housing Association

(503) 364-5468 ORHA@wvi.com
www.oregonrentalhousing.com

Additional Resources:

Oregon Real Estate Agency

Note that licensed rental and sales activity is governed by the Agency and requires a real estate license. (503) 378-4170 orea.info@state.or.us
<http://www.rea.state.or.us/REA>

Construction Contractors Board

Note that repair/remodeling work requires a CCB license (503) 378-4621 ccb.info@state.or.us
<http://www.ccb.state.or.us>