



What Landlords Need to Know About Fair Housing

OUR GOALS AND OBJECTIVES

All of us at Windermere Real Estate are committed to the principles of Fair Housing practices for all. Fair Housing is a matter of dealing equally with all people as well as a matter of federal, state, and local laws. Fair Housing involves everyone, and we have to count on your being our partners in that effort as we work to lease your home.

We are experts in homes. It is our responsibility to provide you with the information you need to make a wise decision for yourself. Our task is to do our best to locate a tenant that fits the criteria we have established together. It is also our task to provide you with information about current market conditions, including the prices of properties that have recently leased and what is currently on the market for rent, to enable you to make an informed decision about the price you are willing to receive for your home.

You may wish to have available other kinds of information. Many tenants ask questions about the people who live in a neighborhood: “What kinds of people live here?” “Are there many children in the neighborhood?” “Are there any registered sex offenders nearby?” “Is there much crime here?” “Are there any especially noisy neighbors?”

Landlords may ask similar questions: “What kind of people make good prospective tenants?” “Who will fit well in this neighborhood?” “Do unmarried couples make good tenants?”

Such questions are outside the scope of our professional practice. Some of them raise Fair Housing issues, and all of them seek subjective judgments rather than objective information. Such questions are important to landlords and tenants, but you ought to be aware of the laws that restrict the rights of landlords and tenants to make decisions based on such inquiries.

THE LAW

Federal law prohibits discrimination in a real estate transaction based on race, color, religion, familial status, sex, handicap, and/or national origin. In addition to the federal prohibitions, Washington law prohibits discrimination based on creed, marital status, sensory/physical/ mental disability, use of a service animal (e.g., a seeing-eye dog), sexual orientation, and honorably discharged veteran or military status. Some local laws go even further to prohibit discrimination based on age, ancestry, gender identity, political ideology, and participation in Section 8 programs (for low-income families).

Landlords should be aware of the laws that prohibit choosing a tenant based on legally protected class status. Generally speaking, if a landlord receives an offer or application on a property, the landlord cannot refuse to rent or even refuse to negotiate with the prospective tenant based on the above-mentioned prohibited criteria. Landlords may not falsely represent that the home is no longer for lease nor can they advertise the home with an indication of preference or limitation on what type of people may lease it.

Property managers may not engage in any such practices either. In fact, property managers are prohibited from “steering” prospective tenants to specific neighborhoods based on the abovementioned criteria. Property managers who perform prohibited discriminatory practices on behalf of their principals subject both themselves and their principals to liability.

A victim of discrimination may pursue a civil lawsuit or an administrative claim. The victim may seek a temporary restraining order, permanent injunction, actual damages, punitive damages, and attorney’s fees.

