

Fair Housing – Keeping Compliant During COVID-19

WELCOME!



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FAIR HOUSING ACT VIOLATION



Self-Assigned Fair Housing PBTs!

Performance-Based Training

#ThisChangesEverything

Transcript (Transcri...

Instruction

Considering the effort that goes into making your community a place that people are happy to call home, the last thing you want is a fair housing discrimination complaint lodged against you.

Thankfully, understanding your fair housing obligations will equip you with the knowledge you need to avoid hot water.



Thank you for joining us today!

Want to learn more?



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Today's Presentation!



Meet Your Speaker: Wesley Aleshire

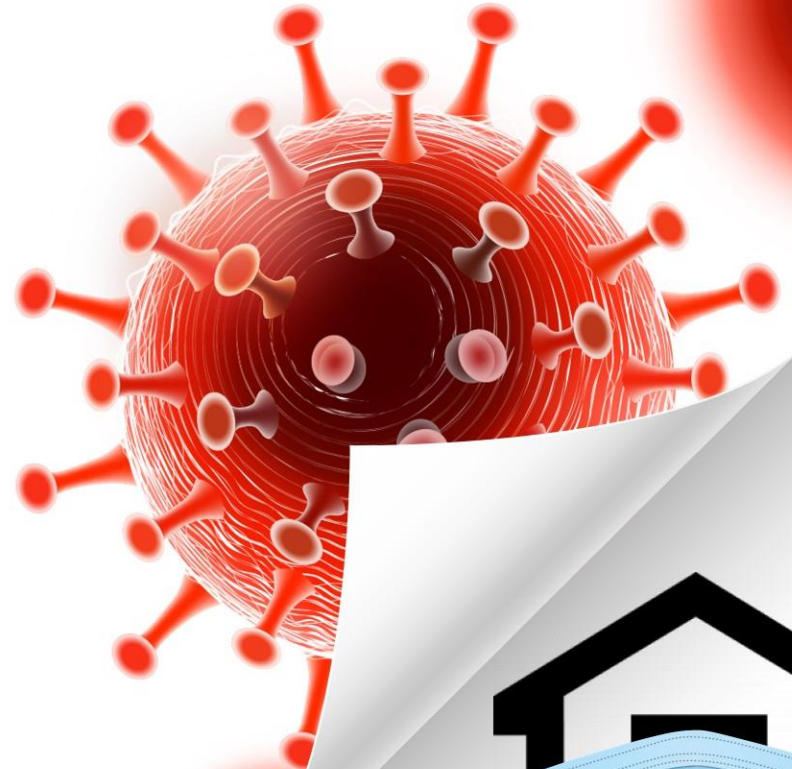


- **20+ Years in Property Management**
- **Began as a part-time Leasing Professional to Senior Director**
- **Participated on State and Local Boards and Education Committees**
- **Engaging presentation style using stories and analogies**
- **Launched Aleshire Consulting in 2020!**

FAIR HOUSING

Keeping Compliant
During COVID-19

By Wesley Aleshire







Poll Question

Disparate Treatment

I knew I was speeding

Disparate Impact

I did not know I was speeding

 You broke the law 

 You knew you were in violation of the law 

 You were caught breaking the law 

 Are their consequences? 



Policies & Procedures should be thoughtfully considered to help us stay in compliance with the Fair Housing Act.

Working through a Pandemic

COVID-19 related information needs to be accurately communicated and updated when the information changes.

Clearly outline the COVID-19 related reasoning for exceptions to policies and procedures.



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Working through a Pandemic

Never disclose personal information about a known infection.

If asking safety precaution related questions, always respond to questions consistently.



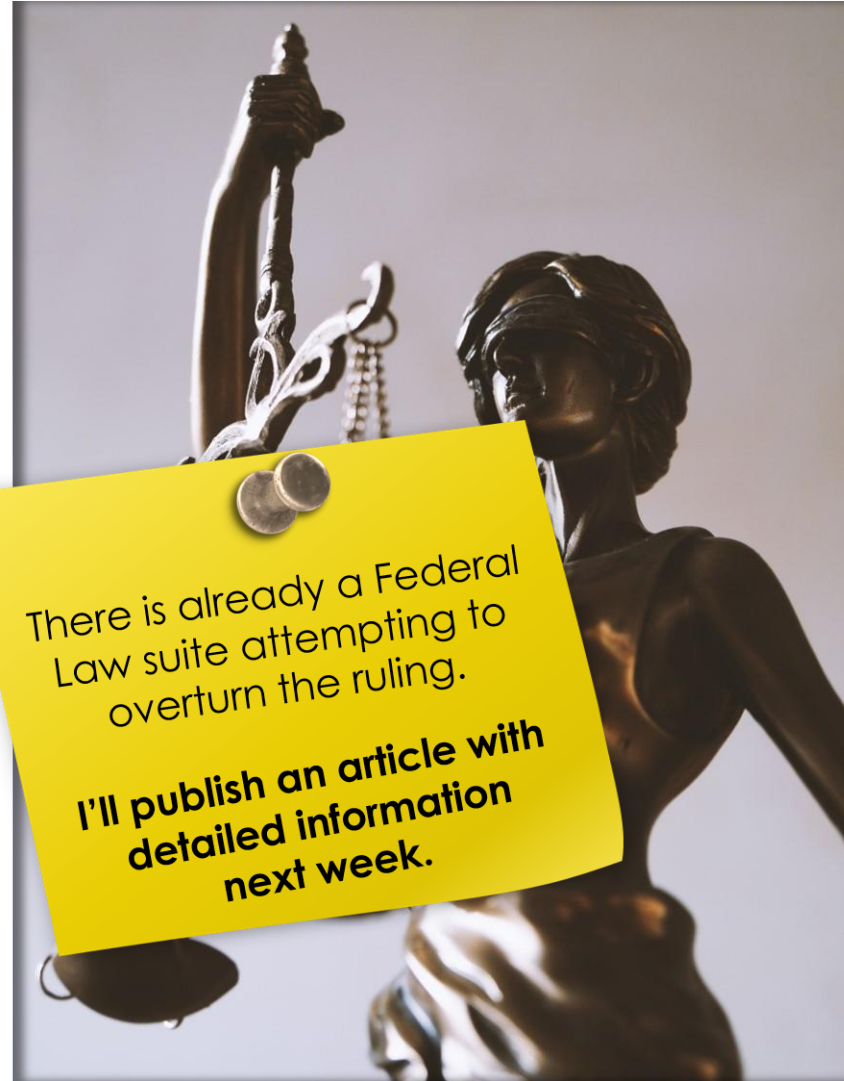
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HUD's New Ruling

Revisions to Disparate Impact Standards

Effective Date: October 26, 2020

- This new ruling provides greater defenses for housing providers.
- Requires that the plaintiff provide more proof of the adverse effect.
- Adds affirmative defenses to disparate impact claims.



There is already a Federal Law suite attempting to overturn the ruling.

I'll publish an article with detailed information next week.

Accommodations & Modifications

Clarifying Confusion






Reasonable Accommodation

A change, exception, or adjustment to a rule, policy, practice, or service that may be necessary for a person with a disability to have an equal opportunity to use and enjoy a dwelling, including public and common use spaces.

Accommodations Clarified

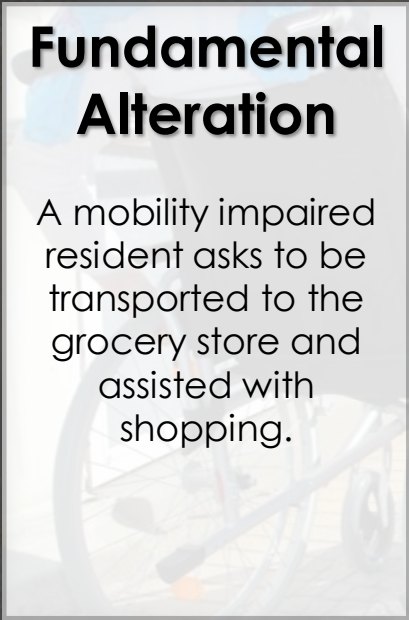
Reasonable Example

A resident is physically unable to open the dumpster.




Fundamental Alteration

A mobility impaired resident asks to be transported to the grocery store and assisted with shopping.



Failure to Agree

The housing provider and the resident are unable to reach an agreement.



What
Constitutes
Unreasonable?



Reasonable Accommodation

Structural change made to existing premises, occupied or to be occupied by a person with a disability, in order to afford such person full enjoyment of the premises.



Who Pays?



In most jurisdictions, the disabled resident is responsible for the cost of the modification. (Guidance for any community that falls under Section 504 of the Rehabilitation Act is different.)



Who Pays?



The disabled resident is responsible for making reasonable restoration to the interior of the apartment to return it to its original condition before termination of occupancy, if the modifications will interfere with the next resident's use.



Who Pays?



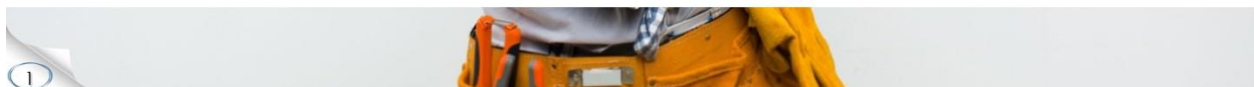
Requiring the disabled resident to pay costs associated with restoring common areas and exteriors of the apartment home is not common practice.



Who Pays?



The disabled resident cannot be charged a higher deposit because of the modification. But, you can require the establishment of an escrow account to fund the removal of the modifications.



Qualified Installers



A man with a full white beard and a dark hoodie is shown from the chest up. He is looking slightly to his right with a thoughtful expression. His hands are raised in front of him, with his fingers spread in a gesture that suggests he is explaining something or making a point. The background is a dark, textured wall.

Refusing Requests

Types of Assistance Animals



Service Animal | Emotional Support Animal



Under the ADA, a service animal is defined as a dog that has been individually trained to do work or perform tasks for an individual with a disability. The task(s) performed by the dog must be directly related to the person's disability.

Service Animals



Sexual Harassment

- Hostile Environment
- Quid Pro Quo



Vendors

The community and vendor could be held liable for violations.

Responding to Allegations

Take all allegations seriously and address the concern promptly.

Being Victimized

Speak to a supervisor immediately.

Domestic Violence

2016 HUD ruling on sexual harassment.

A man in a dark suit and tie is shown from the chest up. His head is replaced by a bright, glowing sphere of digital icons and symbols, including a laptop, smartphone, mail, camera, lightbulb, Wi-Fi, home, play button, magnifying glass, calendar, bar chart, and others. The icons are set against a dark background with a colorful gradient of blue, green, and yellow light emanating from the head. The man's hands are pointing outwards, one to the left and one to the right.

Marketing & Discrimination

Are Your Social Media Posts Creating A Resident Demographic Profile?





Words Matter



HUD, CDC, & WHO Guidance





**WE
WILL
WIN**

CORONAVIRUS

**FAIR
HOUSING**

Keeping Compliant
During COVID-19

Upcoming Webinars!

K.I.S.S

Pass Your Shop AND Get the Lease!

October 29, 2020

1:00pm – 1:30 pm CST

Register:

edge2learn.com

epmsonline.com



Presented by Rachelle Ellington

Upcoming Webinars!

Benefits of Mindfulness and Meditation in the Workplace

November 5, 2020
1:00pm – 1:30 pm CST

Register:

edge2learn.com
epmsonline.com

Presented by Alisha Leytem



Upcoming Webinars!

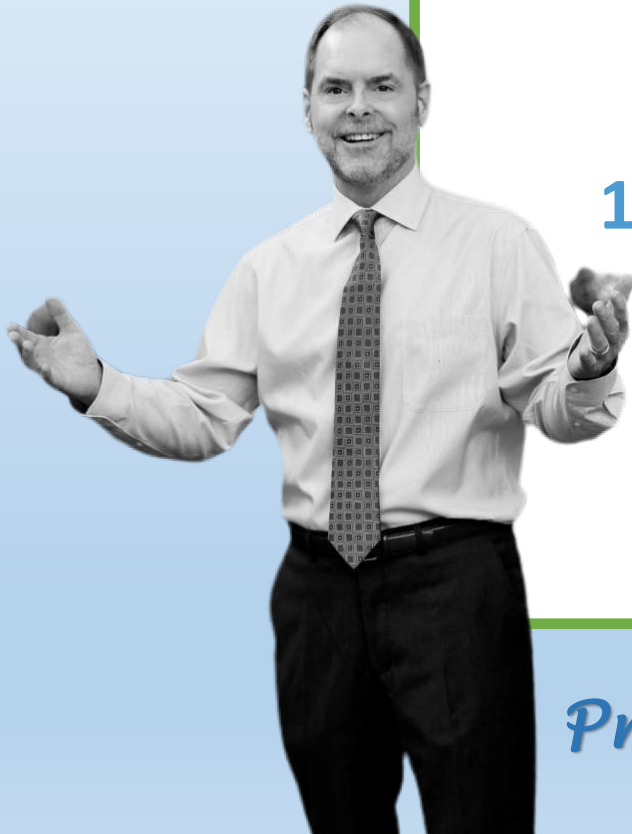
Creatively Using Concessions in the COVID-19 Marketplace

November 12, 2020
1:00pm – 1:30 pm CST

Register:

edge2learn.com
epmsonline.com

Presented by Rick Ellis



Upcoming Webinars!

7 Attitudes of Mindfulness

December 3, 2020

1:00pm – 1:30 pm CST

Register:

edge2learn.com

epmsonline.com



Presented by Dr. Deborah Phillips



Questions?

From All of Us at Ellis and Edge2Learn

