

Navigating a Fair Housing Complaint: An Investigator's Perspective

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Workshop Objectives

- ▶ Overview of fair housing laws
- ▶ Enforcement of fair housing
- ▶ How to respond to a fair housing complaint
- ▶ Best practices: responding to a complaint
- ▶ Best practices: how to avoid a fair housing complaint

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Overview of Fair Housing

- ▶ What is fair housing?
- ▶ What types of housing are covered?
- ▶ What are the jurisdictional requirements?
- ▶ Everyone has a right to file a fair housing complaint

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Who Enforces the Fair Housing laws?

- ▶ U.S. Department of Housing and Urban Development
- ▶ Washington State Human Rights Commission
- ▶ King County Office for Civil Rights
- ▶ Seattle Office for Civil Rights
- ▶ Tacoma Office of Equity & Human Rights

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What is the Role of the Investigator?

- ▶ Investigate
- ▶ Neutral fact-finder
- ▶ Encourages settlement
- ▶ Renders a determination based on evidence gathered and legal analysis

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Fair Housing Exercise

- ▶ Fair Housing Video
 - ▶ <http://www.youtube.com/watch?v=stjdnQYYEKg>
- ▶ Small Group Discussion
 - ▶ What are the potential fair housing issues in the video?
 - ▶ If you are the property manager, what are your next steps?
- ▶ Group Share

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What is comparator information?

- ▶ Demonstrates that same or similarly situated persons are treated in the same manner regardless of their protected class(es)
- ▶ Ensures that practices and policies are consistent and implemented by all staff
- ▶ Protected class(es) was not a factor in the decision making

Resident	Date	Notice	Protected Class
John	1/15/2016	Late rent notice	White
Bill	1/15/2016	Late rent notice	African American
Charging Party	1/15/2015	Late rent notice	Asian

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Practice Tip 1: If you receive a fair housing complaint

- ▶ Take a deep breath!
- ▶ Cooperate with the investigation
- ▶ Be open to settlement
- ▶ Be professional

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Practice Tip 2: Responding to a complaint

- ▶ Provide summary and supporting documentation
- ▶ Investigate to gather more information, if necessary

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Practice Tip 3: Prevent a fair housing complaint

- ▶ Knowing the law and protected classes
- ▶ Review policies for unintended consequences
- ▶ Document your resident policies and practices
- ▶ Avoid practices that may be considered retaliation
- ▶ Effective communication with applicants and residents
- ▶ Be aware of own biases

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Questions

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