



# Project Sentinel Fair Housing Presents: *Fair Housing rights*

Ana Andrade

Community outreach coordinator

# Who Are We?

- ▶ We are a non-profit organization
- ▶ We are non-partisan; we advise and assist *both* Landlords and Tenants

## DEPARTMENTS:

- ▶ Dispute Resolution- Counseling & Mediation
- ▶ Housing Counseling-Foreclosure prevention, mortgage delinquency, and default counseling, reverse mortgage counseling, financial and credit counseling
- ▶ Fair Housing/ Housing Discrimination



## Our mission

We develop and promote fairness and equality of housing opportunities for all persons and advocate peaceful resolution of disputes for community welfare and harmony.



# PS Offices & Service Areas

## Service Areas

- Santa Clara County
- San Mateo County
- Sacramento County
- Stanislaus County
- **PLUS**
- City of Merced
- City of Fremont
- West Sacramento

## Office Locations

- Santa Clara
- Sacramento
- Gilroy
- Redwood City
- Modesto

## What does Project Sentinel's Fair Housing Center do?

- ▶ Investigate FH complaints
- ▶ Conduct **testing** to detect discriminatory practices
- ▶ Educate both tenants and housing providers
- ▶ Provide advice and consultation to both tenants **AND** housing providers
- ▶ Can assist and potentially represent in HUD or DFEH administrative complaints

# Protected Categories

## Federal

- ▶ Race/Color
- ▶ National Origin
- ▶ Religion
- ▶ Sex
- ▶ Sexual Orientation
- ▶ Gender Identity
- ▶ Disability
- ▶ Familial Status

## California

- ▶ Marital Status
- ▶ Age
- ▶ Source of Income
- ▶ Arbitrary
- ▶ Military/Veterans
- ▶ Immigration Status
- ▶ Primary Language



# Disability

- ▶ A physical or mental impairment that limits one or more of a person's major life activities
- ▶ A record of having, or being perceived as having, such an impairment.



# What is a Reasonable Accommodation?

- ▶ A change in rules, policies, practices, or services which may be necessary to enable a person with a disability an equal opportunity to obtain, use and enjoy his or her home.
- ▶ Or simply put: an exception



# Examples of RA's

- ▶ Service animals
- ▶ Emotional support animals
- ▶ Transfer of units
- ▶ Extensions of time
- ▶ Break Lease
- ▶ Rental due date change
- ▶ Caretaker or live-in aid
- ▶ Second chances
- ▶ Accessible parking spaces

# Supporting a reasonable accommodation request

- ▶ A housing provider can ask for proof of disability if the disability is not obvious or readily apparent, e.g., not visible to the eye.
- ▶ Any reliable third party who is in a position to know about the individual's disability such as a doctor or other medical professional, a peer support group, or a non-medical service agency, may provide verification of a disability and a disability-related need for a reasonable accommodation.



# What needs to be in a letter supporting a reasonable accommodation?

- ▶ (1) a statement confirming your disability
- ▶ (2) a brief explanation of how the requested accommodation helps with your disability (**the connection**)
- ▶ Check out our Reasonable Accommodations Toolkit for sample letters and templates!

## Denying an RA

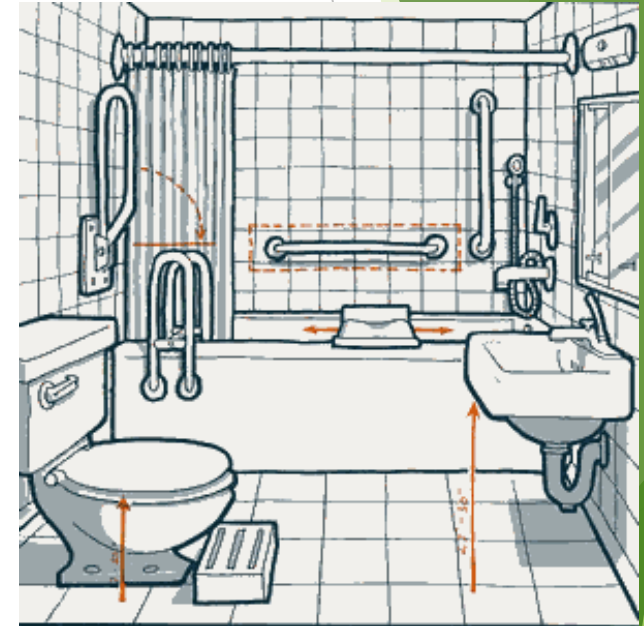
- ▶ If the requested accommodation would cause an undue administrative or financial burden
- ▶ If the request would require a fundamental change to the housing provider's program
- ▶ If the requested accommodation would cause an undue health and safety burden



**DENIED**

# Reasonable Modifications

- ▶ Same as RAs, except a physical change to the unit.
- ▶ Landlord can reasonably require a return to original condition (wear and tear excepted) if the RM would be unacceptable to a new tenant.
- ▶ Landlord has the right to approve plans and ensure a workmanlike product.



# Reasonable Accommodations & Modifications

Who pays for any costs associated with a Reasonable Accommodation?

→ The Landlord

Who pays for any costs associated with a Reasonable Modification?

→ The Tenant



# Using Criminal Records in Housing

- ▶ In 2016, HUD placed restrictions on broad criminal history prohibitions in tenant selection.
- ▶ Arrests should not be considered at all, only convictions.\*
- ▶ No blanket bans!
- ▶ Landlords should look at individual circumstances, such as type of conviction, how long ago it occurred, behavior since then, etc.



\*Check out our Criminal History Toolkit!

## Gender

Gender discrimination covers two special issues

# Sexual Harassment

- Owner, manager, employee
- Neighbors

# Domestic Violence

- Early lease termination
- Eviction of abuser
- Lock changes
- Non-eviction due to police calls



# Familial Status

- ▶ *The presence of minors under 18 years old and pregnant women.*
- ▶ To treat people/families with children differently
- ▶ Overly restrictive rules directed at children are prohibited, as they treat households with children different than adult-only household
- ▶ Occupancy limits
- ▶ Rules specifically about children
- ▶ Common areas and supervision



# Source of Income

- Housing providers must accept all sources of income so long as it is legal and verifiable.
- This may include: SSI, SSDI, child/spousal support fostercare support, etc.
- This includes: Section 8
- Beware when you hear: “Professionals preferred.”
- This does not mean that it is illegal for a housing provider to require a minimum income. But it is important to note that for section 8 voucher holders, the minimum income requirement must reflect the **tenant portion** of their rent.



# National Origin



- It is illegal to treat someone differently because they are from another country. Based on:
- Accents
- Language
- Culture (food, clothes, etc.)
- Name
- **Living Conditions**

This is related to immigration status.

# Immigration Status



It is not illegal for a LL to rent to an undocumented person.

IDs:

- ▶ A LL cannot ask for 2 forms of ID from a person of a different national origin, but only 1 form of ID from an American.
- ▶ In most cases, a LL may not refuse to accept a consulate ID.

# Immigration Status: Cal. Civ. Code § 1940.3

## ▶ Prohibits:

- ▶ Inquiry about applicant or tenant's immigration or citizenship status
- ▶ Requiring applicant or tenant to state or certify immigration or citizenship status

## ▶ Permits:

- ▶ Verification of identity
- ▶ Verification of financial qualifications

# CREATING A RENTER'S RESUME

Before you apply for rentals, consider crafting a **renter's resume**. In a competitive rental market, a renter's resume can highlight your qualifications as a good tenant, and help to mitigate any negative factors that may impact your application such as a lack of or bad credit history.



## NAME AND CONTACT INFO

Include your contact information such as your phone number, email, or mailing address at which the landlord can contact you at the top of the resume.



## TENANT BACKGROUND

Providing a brief paragraph of introduction is a great way to portray yourself in a positive light. You may also list the type of rental and price range you are looking for.



## OPTIONAL SECTIONS:

Depending on your rental/credit history or lack thereof, there are certain points you may want to address on your renter's resume:

- Employment
- Rental history
- Reference contact information
- Reference letters
- Proof of income

# SAMPLE RENTER'S RESUME

## FULL NAME

1234 Someplace St. Sacramento, CA · (888)-987-6543 · fakeemail@sampldomain.com

### Background

I have lived and worked in San Jose for two years. I am currently employed as a construction worker at Carl's Construction Company. Ideally, I am looking for a 2 bedroom, 1 bathroom apartment for \$2000 a month or less.

### Employment

Construction Worker at Carl's Construction Company.....March 2018-Present  
Supervisor: Jane Dinklepert, Manager (999)-123-4567  
Job Employment Company.....June 2017- March 2018  
Supervisor: June Hinglebert , Assistant Manager (555) 123-4567

### Rental History

Clearwater Creek Homes, 456 Creek St. Anytown, CA 98754.....June 2018- present  
Rent: \$1800/month  
Draper Housing, 123 Street St. Anyplace, CA 98765.....June 2017- June 2018  
Rent: \$1500/month

### References

Previous landlord:  
Elizabeth Draper  
Phone: 555-915-4321  
Email: bdraper@landlords.com

Previous employer:  
June Hinglebert , Assistant Manager  
Phone: (555) 123-4567  
Email: jhingleb@jobers.org

### Additional Documents Available Upon Request

- Proof of income [includes pay stubs, written notes from an employer verifying regular employment and income, copies of checks from an employer, pension checks, etc.]
- Letter of recommendation from landlord
- Letter of recommendation from employer
- Letter of recommendation from neighbor

# Retaliation

- ▶ It is illegal to harass, evict, or otherwise discriminate against any person in retaliation against that person for opposing discrimination, or helping another person oppose discrimination.
- ▶ If the housing provider takes any form of adverse against a tenant shortly after they become aware that the tenant is asserting fair housing rights.



# Advocacy Tips

- ▶ Always keep copies of any documentation that you receive from your housing provider.
- ▶ Document, document, document
- ▶ If denied from housing, request a denial letter.
- ▶ Use your resources, call Project Sentinel!



# FIGHT FOR FAIR HOUSING WITH PROJECT SENTINEL

## WE'RE HIRING!

Make between \$20-\$55 per Fair Housing Testing or Survey you work on!

Get compensated for time & reimbursed for mileage and expenses.

Must be 18 or older.

Bilingual Candidates Encouraged to Apply.



TO REGISTER FOR OUR NEXT TRAINING EMAIL  
BRIANA LUCIO AT [BLUCIO@HOUSING.ORG](mailto:BLUCIO@HOUSING.ORG)



# Questions?

## Contact information:

- ▶ [fairhousing@housing.org](mailto:fairhousing@housing.org)
- ▶ **Fair Housing Intake: 1888-324-7468**
- ▶ [www.housing.org](http://www.housing.org)