

Fair Housing Laws
In no way compromise a landlord's right to
effectively screen tenants

The federal Fair Housing Act makes it illegal to deny someone housing (or to discriminate in the terms of rental) because of an applicant's race, color, religion, national origin, sex, disability or familial status (having a child under the age of 18, or a pregnant person in the household). New York also prohibits discrimination on the basis of marital status, military status, age or sexual orientation.

This brochure is meant to help you uphold Fair Housing laws, while protecting your investment.



Chautauqua Opportunities, Inc.

Helping People...Changing Lives.

For more information please call us:

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**EQUAL HOUSING
OPPORTUNITY**

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**EQUAL HOUSING
OPPORTUNITY**

Choosing Good Tenants

**A Practical Guide
for Landlords**

Chautauqua Opportunities



Helping People...Savings Lives.

Successful landlords
know the value
of good tenants

Define what you want in a tenant

Most landlords would agree that a good tenant is someone who pays their rent on time, takes good care of the property and who will be a respectful neighbor. By developing objective criteria that clearly define who you will rent to, you can increase the number of qualified applicants that you can choose from.

- **Applicants that can produce evidence of stable income from any legal source.**
Many landlords use an income-to-rent ratio of the total applicant household's monthly income in order to determine if they can afford the unit. Whatever standard you use, be certain to apply it consistently to every applicant.
- **Applicants that can provide positive landlord references.**
It is likely that someone who has been a good tenant in the past will probably be a good tenant in the future.

Be aware of occupancy standards

- **Occupancy standards must be applied consistently**—regardless of who the occupants are.
- **Your standard cannot be unreasonably restrictive.**
It is recommended that you use the standards set by your municipality so be sure to know this information prior to advertising your unit.
- **If you adopt an occupancy standard that is more restrictive than the one defined by the law, you could be accused of discrimination.**

Advertise

Be sure to advertise your units in multiple areas so that you can be certain to attract a large pool of qualified applicants. And remember that ads must not be discriminatory— do not imply any preference, limitation or discrimination based on race, disability, familial status, or any other protected class.

A general rule is to describe the unit you have for rent, not the kind of tenants that you would like to rent the property to.

Use a Written Rental Application

By using a standard rental application you can be sure that you are asking questions consistently and spare you the risk of asking questions which may violate Fair Housing laws.

Screen Your Applicants

Use a consistent screening process to evaluate all applicants. For example:

- Number the applications as you receive them, then screen the prospects in that order until you find someone that meets the standards you have in place
- Your application should ask for the sources of income; you can ask an applicant to provide proof of that income.
- Check References of at least two previous landlords - the current one may have a reason to give you a false report in order to remove a poor tenant! Also be sure to have a consistent policy for applicants who do not have a rental history.
- Take notes and combine them with the original application so that you can recall any details related to rejected applications later, if necessary.

Successful landlords
know the value
of Fair Housing Laws

Select Your Tenant!

When you select a qualified applicant, we suggest requesting a security deposit equal to one month's rent.

Be sure that you have a written and signed lease that outlines each of your obligations throughout the term of the agreement and be sure to provide your new tenant with a copy of the signed & dated version.

Treat Everyone Equally

While going through the process of advertising, giving out applications, screening prospects, showing your property and of course, selecting the best tenant, always treat every applicant equally. **All applicants, regardless of their protected class, must be given the same information and the same opportunities.**

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