



Fair Housing Is Relevant

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The Maverick Motivator

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About Monica Neubauer

As a Maverick Motivator, Monica Neubauer's content driven programming is about entrepreneurial focus, intentional choices, decisive and strategic problem solving which she delivers in a highly engaging and fun format. A maverick is an independent-minded person who believes in the freedom to choose their own definition of success and Monica incorporates that philosophy in her programming as she motivates her audiences and clients to apply what they learn directly to their own business and personal lives.

Monica has traveled to 48 states and 20 countries. Because of her broad base of education and experiences, her energy and dedication is directed towards creating a highly interactive learning environment so the audience leaves wanting more. Her topics include communication, modern selling practices, negotiation, problem solving and maintaining a healthy life balance throughout.

Monica Neubauer is a practicing and award-winning REALTOR® which continually allows her to provide relevant and current information in her educational programs. She has earned multiple real estate certifications, hosts the Center for REALTOR® Development Podcast for the National Association of REALTORS® and has been a contributor to REALTOR® Magazine, The Residential Specialist Magazine, The Tennessean Newspaper and various state publications. She is known for her ability to facilitate in-depth open conversations with industry leaders and being a contributor to updating national level curriculum for designation and/or certification coursework.

Monica Neubauer's personal mission is to live life "Funtentionally" – always paying attention to what is and isn't working and making the necessary changes for a successful life. She encourages people she connects with to acknowledge where they are, where they want to be and to make intentional choices about their use of time, money and relationships.

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This is a True False Pre-Test for the Fair Housing laws

- T F 1. HOPA is a law that prevents people from discriminating according to Age.
- T F 2. It is okay for a landlord to not allow children in a 1 bedroom unit.
- T F 3. Making decisions for buyers or renters about where they live is a violation.
- T F 4. If a landlord doesn't want to rent to someone because of their handicap they can just delay in answering their questions.
- T F 5. Sexual Preference is a Federal Fair Housing Protected Class.
- T F 6. Suggesting a particular kind of mortgage on the basis of race or culture is a violation.
- T F 7. A landlord can set different terms if the tenants have children.
- T F 8. Legal Screening Criteria includes Ability to pay rent, credit history and marital status.
- T F 9. A disabled tenant may ask for and expect to receive reasonable accommodations.
- T F 10. Your potential customer's rental inquiries should be handled in a manner for the agent to pick the person they like best.



Scan to access online Fair Housing Pre-Test

SCAN ME

7 Federally Protected Fair Housing Classes

Local / State Fair Housing Classes

What is Illegal?

Top 10 Fair Housing Mistakes from GraceHill.com

- Forbidding Kids from doing things.
- Asking a prospective resident how many kids they have
- Not realizing your state or city may have protected classes
- Not keeping good records about showing apartments
- Denying an application because you had a bad feeling
- Refusing to create a reserved parking spot for a handicapped resident
- Telling a resident, they can't have a service animal. A service animal is not a pet.
- Hoarding is a disability
- Letting your maintenance response team respond randomly
- Failing to train your staff about fair housing requirements

Favorite Web Sites for Clients Who want Advice on Schools, Demographics, Crime, etc.

Resources for More information on Fair Housing Education and Tools

NAR Fair Housing Home Page – Videos and Articles. <https://www.nar.realtor/fair-housing>

The Color of Law by Richard Rothstein

The Color of Money by Mehrsa Baradaran

Newsday Long Island Divided: -

<https://projects.newsday.com/long-island/real-estate-agents-investigation/>

Fairhaven Bias Exercise – [Fairhaven.REALTOR](#)

PewResearch.Org

HUD Disability Guidelines:

https://portal.hud.gov/hudportal/HUD?src=/program_offices/fair_housing_equal_opp/disabilities/inhousing

HUD Specific Guidelines for Service and Emotional Support Animals:

<https://www.hud.gov/sites/dfiles/PA/documents/HUDAsstAnimalNC1-28-2020.pdf>

New Jersey Fair Housing Guidelines:

<https://www.nj.gov/dca/home/fairhousing/discrimination.html>

New York Fair Housing Guidelines:

<https://ag.ny.gov/civil-rights/fair-housing>

Pennsylvania Human Rights Commission:

<https://www.phrc.pa.gov/Pages/default.aspx>

Legal Guidance Re: Fair Housing

Under the Fair Housing Act, from the HUD website, the following activities are illegal:

- Refuse to rent or sell housing
- Refuse to negotiate for housing
- Make housing unavailable
- Set different terms, conditions, or privileges for sale or rental
- Provide different housing services or facilities
- Falsely deny that housing is available for inspection, sale or rental
- For profit, persuade owners to sell or rent (blockbusting)
- Deny any access to or membership in a facility or service (such as a multiple listing service) related to the sale of housing
- Refuse to make reasonable accommodations in rules, policies, practices or services if necessary, for a disabled person to use the housing
- Refuse to allow a disabled person to make reasonable accommodations to his/her dwelling
- Threaten or interfere with anyone making a fair housing complaint
- Refuse to provide municipal services, property insurance or hazard insurance for dwellings, or providing such services or insurance differently

What kinds of subtle actions might be illegal discrimination by the landlord?

The Fair Housing Acts prohibit landlords from taking any of the following actions based on race, religion, or any other protected category:

- falsely denying that a rental unit is available to some applicants
- advertising that indicates a preference based on group characteristic, such as skin color
- setting more restrictive standards, such as higher income, for certain tenants
- refusing to reasonably accommodate the needs of disabled tenants, such as allowing a guide dog, hearing dog, or other service animal
- setting different terms for some tenants, such as adopting an inconsistent policy of responding to late rent payments, or
- terminating a tenancy for a discriminatory reason.

For more information, see *Every Landlord's Guide to Finding Great Tenants*, by Janet Portman (Nolo.com).

From HUD regarding Disabilities:

Definition of Disability: Federal laws define a person with a disability as "Any person who has a physical or mental impairment that substantially limits one or more major life activities; has a record of such impairment; or is regarded as having such an impairment."

In general, a physical or mental impairment includes hearing, mobility and visual impairments, chronic alcoholism, chronic mental illness, AIDS, AIDS Related Complex, and mental retardation that substantially limits one or more major life activities. Major life activities include walking, talking, hearing, seeing, breathing, learning, performing manual tasks, and caring for oneself.

Disability Rights in Private and Public Housing: Regardless of whether you live in private or public housing, Federal laws provide the following rights to persons with disabilities:

- **Prohibits discrimination against persons with disabilities.** It is unlawful for a housing provider to refuse to rent or sell to a person simply because of a disability. A housing provider may not impose different application or qualification criteria, rental fees or sales prices, and rental or sales terms or conditions than those required of or provided to persons who are not disabled.

Example: A housing provider may not refuse to rent to an otherwise qualified individual with a mental disability because s/he is uncomfortable with the individual's disability. Such an act would violate the Fair Housing Act because it denies a person housing solely on the basis of their disability.

- **Requires housing providers to make reasonable accommodations for persons with disabilities.** A reasonable accommodation is a change in rules, policies, practices, or services so that a person with a disability will have an equal opportunity to use and enjoy a dwelling unit or common space. A housing provider should do everything s/he can to assist, but s/he is not required to make changes that would fundamentally alter the program or create an undue financial and administrative burden. Reasonable accommodations may be necessary at all stages of the housing process, including application, tenancy, or to prevent eviction.

Example: A housing provider would make a reasonable accommodation for a tenant with mobility impairment by fulfilling the tenant's request for a reserved parking space in front of the entrance to their unit, even though all parking is unreserved.

- **Requires housing providers to allow persons with disabilities to make reasonable modifications.** A reasonable modification is a structural modification that is made to allow persons with disabilities the full enjoyment of the housing and related facilities.

- **Example:** *allowing a person with a disability to install a ramp into a building, lower the entry threshold of a unit, or install grab bars in a bathroom.*

Reasonable modifications are usually made at the resident's expense. However, there are resources available for helping [fund building modifications](#). Additionally, if you live in Federally assisted housing the housing provider may be required to pay for the modification if it does not amount to an undue financial and administrative burden.

- **Requires that new covered multifamily housing be designed and constructed to be accessible.** In covered multifamily housing consisting of 4 or more units with an elevator built for first occupancy after March 13, 1991, all units must comply with the following seven design and construction requirements of the Fair Housing Act:
 - Accessible Entrance on an Accessible Route
 - Accessible Public and Common-Use Areas
 - Usable Doors
 - Accessible Route Into and Through the Dwelling Unit
 - Accessible Light Switches, Electrical Outlets, Thermostats, and Environmental Controls
 - Reinforced Walls in Bathrooms
 - Usable Kitchens and Bathrooms

Notes on Disability and Service Animals

Notes on HOPA – Housing for Older Persons Act
