

FAIR HOUSING BEST PRACTICES 2023

Fair Housing Act complaints can be costly and complicated for landlords. Learn more about what to do and how to avoid them here.

How can I avoid fair housing complaints?

Tenants may file a fair housing complaint when they think a landlord is treating them unfairly. To avoid fair housing complaints, you should understand your legal obligations and how to put them into practice. Following clearly defined steps can help you avoid treating applicants or tenants in a way that could lead to a fair housing complaint. It can also show applicants and tenants that you are trying to treat them fairly. These are some steps you may find helpful:

1. Do your tenant screening the same way every time. Many smaller landlords go by their gut feelings, but this can leave them open to discrimination claims. A landlord with a defined process that never changes can show the exact non-discriminatory reasons used to approve or deny each tenant.
2. Require the same information from all tenants. This also helps show the reasons for your decisions. It also prevents an applicant from saying you discriminated by requiring them to show more documents than everyone else.
3. Avoid language that might be seen as discriminatory in your housing ads. Stick to the facts about the property. Even something that seems innocent and positive can be a problem. For example, saying that buyers or renters of a particular religion are preferred due to "proximity to a place of worship could be seen as turning away tenants of a different faith.
4. Treat all tenants the same. This includes the way you give warnings and when you file for eviction if they break the lease.
5. **Go DIGITAL with your TENANT APPLICATION PROCESS:**
 - a. **Rental Acceptance Criteria Statement (incl 2x S.D.)**
 - b. **Fair Housing Commitment Acknowledgement**
 - c. **Rental Application & Read-only Rental Agreement**
 - d. **Co-Signer Agreement**
 - e. **Notice of FCRA Credit, Criminal Background, & Eviction Report**
 - f. **Notice of Renters Insurance Requirement**
 - g. **Security Deposit Move In Inspection & Receipt**
 - h. **Lead Disclosure Statement**
 - i. **Pet Application & Acceptance Criteria**
 - j. **Welcome Letter or Rejection Letter (FCRA compliant)**
 - k. **If denial, Adverse Action Notice**

6. **RECORD & DOCUMENT EVERYTHING IN WRITING.** One of the best ways to protect yourself from complaints is to record everything. Keep detailed records for all your tenants, not just for tenants you have had past issues with or who are members of a protected class. When a tenant requests an accommodation, like allowing a service animal, or makes an informal complaint about discrimination, landlords need to take these seriously.

Keep records of every time you talk with your tenants by voice or in writing. You might store copies of tenant complaints, lease violation notices, detailed notes about verbal warnings, and records of any steps taken toward eviction.

For example, you may have a tenant with disabilities who often gets noise complaints from other tenants for playing loud music throughout the night. You may be concerned that they will accuse you of discrimination if you try to evict them. If you can show proof of each time they broke their lease, and that you handled violations by other tenants the same way, their complaint may have little chance of success.

7. Limit denials based on a prospective tenant's criminal background to convictions (not arrests) of violent crimes, drug dealing, and sexual assault.
8. Be particularly careful to not discriminate based on race or disability. These appear to be the two most utilized protected categories for complaints. Carefully consider any request for a reasonable accommodation. These two protected classes represented 73% of all complaints filed in 2022.
9. Be sure to convey your commitment to FAIR HOUSING to your managers or staff. If your manager discriminates, even without malice, the financial burden will be on YOU as the owner.
10. COMMUNICATE with Tenants & DOCUMENT the communication. Effective communication skills" may be an overused phrase these days, but they are invaluable in landlord/tenant relations. Clearly convey, and patiently explain to your tenants any decision or action you take that may have a negative impact on their housing situation.

Georgia Rental Application Criteria & Procedures

“We are pledged to the letter and spirit of the U.S. Policy for the Achievement of Equal Housing Opportunity throughout the Nation. We encourage and support a program in which there are no barriers to obtaining housing because of Race, Color, Religion, Sex, Handicap, Familial Status, National Origin, or Sexual Orientation.”

All applicants must see the interior of the property before a Residential Lease can be submitted and accept the property in an AS IS condition, except where there is written agreement for repairs with the owner. If so, that agreement will become a part of the lease. Verbal representations are non-binding.

**ALL INFORMATION COLLECTED FOR THIS APPLICATION IS CONSIDERED
CONFIDENTIAL IN NATURE AND FOR WATSON REALTY CORP., PROPERTY
MANAGEMENT DIVISION USE ONLY.**

1. DEFINITIONS:

1. **Applicant** - All persons applying who are 18 years of age or older. All applicants must complete an application, including submission of all supporting documents required and pay the application fee. All applicants 18 years or older are financially responsible unless excluded under the definition of Occupant.
2. **Occupant** -
 1. Any person applying who is 18 years of age or older and who is a dependent of the tenant must provide proof of dependency (last year's tax return or medical documentation). Occupant(s) will not be financially responsible for the lease, must complete an application, and pay the application fee or,

2. Person(s) under the age of 18, need not complete an application and will not be financially responsible for the lease.
 3. **Tenant** - All persons applying who are 18 years of age or older and who will be financially responsible for the lease. All tenants must complete an application, including submission of all supporting documents required and pay the application fee.
 4. **Guarantor** - Any person who guarantees payment should the applicant default on their financial responsibility. Guarantor(s) cannot reside in the property, must be 18 years of age or older, pay a separate application fee and be approved without contingencies.
2. **PROCESSING TIME FRAME: Processing an application may take up to 2 business days.** Due to unforeseen circumstances, some applications may take longer to process. You will be contacted immediately upon determination of approval or denial. **You will have 2 business days from notification by a Watson Property Management representative to complete all lease requirements for the property for which the application is submitted.**
 3. **TO APPLY THE FOLLOWING IS REQUIRED: All applicable fields on the Rental Application Form must be filled out and form signed by the applicant.**
 1. The application fee is \$50 per adult person 18 years of age or older. **PLEASE NOTE APPLICATION FEES ARE "NON-REFUNDABLE".**
 2. Each person 18 years of age or older must complete the application process. Approved applicant(s) must sign the lease as a responsible party(s); occupant(s) must be listed as part of the lease.
 3. Valid current photo documentation is required; some examples are driver's license, State issued I.D. or passport.
 4. A valid social security number is required of each applicant. For applicants without a social security number, proof of a permitted stay in the US with a visa is required as well as the last 3 months rent paid in advance.
 5. All applicants will be evaluated by a third party screening company's computerized model.

4. CRITERIA REQUIREMENTS:

1. Proof of Current Income: It is important that you provide the source of income that will cover the term of the lease. If you are beginning a new job or if current job is not local, a signed letter from your employer that includes employment status and pay rate is necessary.
 1. Acceptable proof of income: Pay stubs, LES, W2, retirement, court decree on child support or alimony, letter from CPA on company stationery stating economic standing.
 2. Self-employed or retired applicants must provide last 2 years of tax returns.
2. Income Requirement:
 1. Applicant: Gross monthly income must meet or exceed three times the monthly rent amount. Multiple applicants' income will be combined.
 2. Guarantor: Gross monthly income must meet or exceed four times the monthly rent amount.
3. Credit History: Must have satisfactory credit. The most common reasons for denial are:
 1. Landlord debt in the last 7 years
 2. Collection accounts exceed 24% of your credit profile
 3. Delinquent accounts exceed 24% of your credit profile
 4. Applicant has an initial filing or eviction with in the last three (3) years or has multiple evictions with in the last seven (7) years.
4. Criminal History: **Must have satisfactory criminal background. The most common reasons for denial are:**
 1. Applicant has ever been convicted of any sexual related offense or VCAP (Violent Crime Against Person) that was adjudicated guilty or had adjudication withheld.
 2. Applicant has been convicted, has a felony record, or a 1st degree misdemeanor that was adjudicated guilty or had adjudication

withheld in the past ten (10) years. * Appeals for non-violent convictions will be considered.

3. Applicant has falsified information on the application.

5. POLICIES AND PROCEDURES:

1. Applications will be processed on a “first come, first served basis” with time and date denoted on the application to act as receipt. If more than one application is submitted before approval can be achieved, the first approved application would be selected by the screening company and all applicants would be notified of procedure.
 2. If application is approved, you must pay a \$50 processing fee in certified funds and reservation fee in certified funds within 2 business days of notice. If applicant fails to execute a lease after processing and reservation fee is collected, the applicant may be rejected, the property returned to the open market and money will become non-refundable.
 3. No properties are held for more than 2 weeks from application date unless approved by owner in writing.
 4. Keys will be released on the first day of occupancy and under NO circumstances prior to date of occupancy as denoted in the lease.
 5. Regardless of move in date, an amount equivalent to a full month’s rent is required upon move in. The first full month’s rent must be paid in certified funds. Any pro-rated rent amount will be applied to the second month of occupancy.
 6. **SECURITY DEPOSIT AND FIRST FULL MONTH OF RENT MUST BE PAID WITH CERTIFIED FUNDS (TO INCLUDE PET RENT WHEN APPLICABLE).**
 7. If applicant(s) are approved with conditions, those conditions supersede all conflicting statements in this document.
6. **APPLICATION - EARLY TERMINATION:** If the applicant has submitted the security deposit and signed the lease, he may terminate the lease by 1) giving a written notice to the Property Manager, and 2) if the termination is within 14 days of the lease signing, the applicant must give an amount of money equivalent to

the security deposit to the Landlord or if the termination is more than 14 days after the lease was signed by giving an amount equivalent to the security deposit and one month's rent to the Landlord. This provision applies only to those tenants who have NOT taken possession of the rental property.

This Rental Criteria and Procedures handout is provided to everyone seeking an application for a property managed or Tenant Placement where Watson Realty Corp, Property Management Division has a signed agreement with an Owner to provide these services. Applicants should not proceed with completing and submitting an application unless they have received and read this document.

SAMPLE Rental Application Requirements and Criteria

We use a point system to qualify applications and uses the criteria listed below for calculations. Additional deposits, if applicable, will be assessed according to the highest risk score of the party for applications run through the Onsite Manager Office.

Additional deposits, if applicable, will be assessed according to each individual's score.

RWC Property Services will not accept a comprehensive reusable tenant screening report, obtained by applicant.

Rental Application and Application Fee

Each applicant of legal age must submit a rental application. There is a non-refundable application fee of \$35.00 per applicant.

Photo I.D. and Social Security Card

A valid government issued photo I.D. and Social Security Card is required to verify applicant's identity.

Credit History:

- FICO score: Under 500=6 points (auto denial for Corporate Office run application), 500-649=3.5 points, 650+=0 points, No score=3.5 points.
- If No Score, or more information is needed, full approval may be required in order to accept your Deposit To Hold.

Rental History:

- We will check for rental or mortgage history of three years or two landlords (your name must have been on the lease or loan agreement from a non-relative). We reserve the right to consider references that may exceed that timeframe. Any instance where a reference of at least 12 months (can be a combination of multiple references) cannot be obtained, a deposit equal to one month's rent will be required, in addition to normal security deposits.
- Negative current or past reference items will incur 1 (one) point each.

Income Guidelines:

- All applicants may combine their income to meet the requirement of grossing 3 times the rent.
- - - Please provide a recent paycheck stub (more than 1 must be provided, upon request)
 - Any other income (i.e. retirement income, child or spousal support, self-employment, disability or Social Security) that you are using to qualify will require 90 days' worth of bank statements, showing monthly deposits that meet the 3 times the rent requirement.
 - Alternatively, you may show 90 days' worth of bank statements, showing a balance equal to 3 times the rent, times the term of the lease.
- If an applicant does not meet 3 times the rent, a family member or guardian may be a co-signer, as long as they prove 5 times the rent and have 0 points. The co-signer must pass the complete background check (criminal, credit, rental, etc.).

Immediate Disqualifications:

- **A current, non-discharged Bankruptcy action, Falsified information, Eviction less than 5 years (and not included in bankruptcy), Housing related debt or Rental reference that would not re-rent for documented reasons.**
- **An applicant will be denied if they have been convicted, pled guilty or no contest to a felony crime in the last 7 years.**
- **Any misdemeanor in the last three years will be a disqualification. A misdemeanor over three years ago is not looked at and will not cause your application to be denied. (Exception: criminal vehicle or licensing records are not counted; i.e. DUI, fishing w/o license, etc.)**

While your score may be sufficient to be approved, you may also be required to pay additional security deposits, depending on your actual score. If your application exceeds the number of allowable points, we are sorry, but we will be unable to offer you residency at this time.

Additional Information.

- **Most of our property owners do not accept housing assistance voucher (Section 8). If you have any questions, please check with us before you apply.**
- **If you are an international transferee with limited or no US credit history, or if you are an international student, additional deposit is required to rent our property.**

Occupancy Standard.

For health and safety reasons, we have the following occupancy standards, we will not allow more people than maximum number of occupants living in the house or apartment.

- **Maximum number of occupants allowed for a one-bedroom apartment is 3 people.**

- **Maximum number of occupants allowed for a two-bedroom apartment is 5 people.**
- **Maximum number of occupants allowed for a three-bedroom apartment is 7 people.**

Roommates: If one roommate qualifies, and one does not (too many points), the primary roommate (who completely qualifies) may lease the property with the non-qualifying roommate listed as a conditional roommate, and subject to a security deposit equal to one month's rent, in addition to normal security deposits, with the stipulation that if the qualified roommate moved, the secondary roommate would have to re-qualify on their own, find another qualified roommate, or vacate the property. This does not apply to a roommate that has any of the Immediate Disqualifications.

Pets: If a property or apartment community accepts pets, the following may apply: **A pet reference is required to have a pet on the property.

- **An additional pet security deposit, pet non-refundable fee plus pet rent will be due.**
- **Houses, condos & plexes typically will allow two pets of up to 20 lbs, full grown.**
- **Apartment communities typically will allow two pets with varying weight criteria.**
- **No property will allow any dogs of a perceived vicious breed (or mixture thereof): Pit bull, Doberman, Rottweiler, German shepherd, etc. A picture of your dog(s) is required at application.**
- **Please remember, not all properties will allow a pet and you should look carefully before choosing your home if you have a pet.**

Renter's Insurance: Upon move in, and through the duration of tenancy, all tenants must provide proof of renter's insurance, which includes a minimum of \$100,000 legal liability for damage to the landlord's property, with Owner/Agent named as additional

insured. Tenant may purchase required insurance from an insurance agent of their choice.

The tenant screening may consist of, but not limited to the following: credit, criminal, eviction, public records, current and former landlord references, verification of income, other sources and screening reports obtained through an authorized reporting agency: You may request a free credit report within 60 days of adverse action/denial. You have the right to dispute any or all information. *Your application will be processed as quickly as possible. We expect it to take approximately 15 minutes to be Deposit Approved, and approximately 24-48 hours to be Fully Approved; however, that is dependent on the receipt of the necessary information from those involved in the process, including you.*



RENTAL ACCEPTANCE CRITERIA

FAIR HOUSING STATEMENT

- Renters Warehouse is a fair housing provider and does not discriminate against persons on the basis of race, color, religion, national origin, sex, familial status, disability, creed, marital status, public assistance, ancestry, and sexual or affectional orientation or other protected class as applicable.

APPLICATION REQUIREMENTS

- Your application must be filled out completely and accurately. Any misstatements or omissions made on your application, whether or not discovered before you move into the building, is grounds for denial of an application or termination of an existing lease. Information must be legible and verifiable. Your application may be rejected if any requested information (such as an address or employer) on the application is omitted or cannot be verified. Applications are not considered complete and will not be reviewed until the completed application form, verified proof of income, and valid, unexpired ID have been received by Renters Warehouse.

BUSINESS RELATIONSHIP

- The relationship between a landlord and tenant is a business relationship. A courteous and businesslike attitude is required from both parties. Renters Warehouse reserves the right to refuse anyone who is verbally abusive, swears, is disrespectful, makes threats, is intoxicated, is argumentative, or in general displays an attitude at the time of the property showing and application process that causes Renters Warehouse to believe it would not have a positive business relationship.

APPLICATION CRITERIA

- Total combined gross monthly income from all sources must be at least 3 times the amount of monthly rent (i.e.: \$1,000 monthly rent x 3 = \$3,000 monthly income) to be approved.
- Income must be verifiable and provided in a written form acceptable to Renters Warehouse, including a pay stub, verification of income letter (on company letterhead), a letter of benefit assignments or tax statements of the applicant.
- Any eviction filed against you within the last five (5) years may be grounds for rejection.
- A credit score below 565 may result in rejection or require additional deposit and/or guarantor.
- A criminal background check will be performed on all applicants. Depending upon the nature, severity, and age of the conviction, the application may be rejected.
- Registered sex offenders will be disqualified for life.
- Applicants must provide a valid and unexpired Government Issued Photo Identification to verify identity.

APPLICATION PROCESS

- Payment of the application fee is required at the time you apply for the property. One application per adult is required. The property will not be held until the first month's rent is paid in full, and a hold or lease agreement is executed. **The Application fee is non-refundable unless otherwise provided for in local or state statute.**
- All applications are processed by Rental History Reports. Please direct all inquiries regarding your file to the following address:

Rental History Reports
7900 W 78th St., #400
Edina, MN 55439
Telephone (952) 545-3953 * (888) 389-4023
www.RentalHistoryReports.com/Applicant



EMPIRE
PROPERTIES, INC.

Rental Application Acceptance Criteria



FAIR HOUSING: We do business in accordance with the Federal Fair Housing Law. It is illegal to discriminate against any person because of race, color, religion, sex, handicap, familial status, or national origin. We also do not discriminate against any person due to sexual orientation

- Application Fee: \$50 (per applicant over 18)
- Full security deposit is due at time of applying and is to be paid by money order, cashier check or personal check. **No cash is accepted for deposit.** Security Deposit is refundable should your application be denied.
- Guarantor Fee: \$10 - Every Guarantor must complete the Guarantor Application and have the Guaranty of Lease Form notarized.

Minimum Criteria:

1. Combined income of applicants must be triple the monthly rent.
2. No evictions
3. Previous landlord information matches that given by applicant.
4. Less than two previous NSF's or late payments.
5. Landlord verification indicates that the property was maintained in an acceptable manner.
6. The previous landlord(s) would re-rent to the tenant(s)
7. Responses to personal references questions are positive, if applicable.
8. All employment and income information is verified.
9. No (non-medical) charge-offs or collections on the credit report with in the last two years.
10. Credit score must be 600 or higher.

Empire Properties can work with just about any credit score and/or income with one of the following:

1. A qualified Guarantor
2. Written verification of resolution of credit problem(s) is provided
3. Six months rent is paid in advance
4. The property owner agrees to accept the application with an extra deposit

If an application is successful to this point, then a criminal background check is ordered for each applicant. Applicants must have no record of conviction or adjudication of a felony. **There are no exceptions.**

APPLICANT CHECK LIST:

- _____ Application is completely filled out and signed
- _____ Landlord information is correct
(Phone, Address, Etc.)
- _____ Employment information is correct
(For faster application processing, please bring in two months worth of pay stubs)
- _____ Income information is fully filled out
(All sources of income including alimony, child support, financial aid, SSI, etc. - documentation of all sources is required)
- _____ Total amount of deposit is in money order or check
- _____ Total amount of application fee(s) is in cash, money order or check
- _____ Guarantor Application and Guaranty of Lease signed and notarized along with required fee (if required)
- _____ Extra Deposit and/or extra rent paid (if required)

APPROVED APPLICANTS:

- **Lease must be signed within 3 business days from the time of approval notification (failure to do will resort in losing the property and the deposit)**
- **A full months rent must be paid on move in date in order to receive the key to the property. (A pro-rated amount will be paid by tenant the following month if move in date is not on first of month)**



**EMPIRE PROPERTIES, INC.
191 1-B NORTH MONROE STREET
TALLAHASSEE, FLORIDA 32303
O- (850)561-0400
F- (850)561-1355**



**EQUAL HOUSING
OPPORTUNITY**

**We Do Business in Accordance With the Federal Fair
Housing Law**

(The Fair Housing Amendments Act of 1988)

**It is illegal to Discriminate Against Any Person
Because of Race, Color, Religion, Sex,
Handicap, Familial Status, or National Origin**

- In the sale or rental of housing or residential lots
- In the provision of real estate brokerage services
- In advertising the sale or rental of housing
- In the appraisal of housing
- In the financing of housing
- Blockbusting is also illegal

Anyone who feels he or she has been discriminated against may file a complaint of housing discrimination:

1-800-669-9777 (Toll Free)
1-800-927-9275 (TTY)

**U.S. Department of Housing and
Urban Development
Assistant Secretary for Fair Housing and
Equal Opportunity
Washington, D.C. 20410**