

ALMA
PACIFIC SOUTHWEST
The Power of Our Voices



**FAIR HOUSING
FOR MAINTENANCE PERSONNEL**

Why Fair Housing for Maintenance Personnel?

- ⦿ Increased exposure
 - > Frequent interactions with residents
 - On property
 - In residents' units
- ⦿ Penalties and payments
 - > What you don't know can end up costing you and your company a lot of money!



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The Laws

- Federal**
 - Civil Rights Act of 1866
 - Fair Housing Act of 1968 (FHA)
 - Fair Housing Amendments Act (1988)
- California**
 - Fair Employment and Housing Act (FEHA)
 - Unruh Civil Rights Act



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Who Can be Named?

- Anyone alleged to have committed the act
 - > Includes: owners, on-site management, maintenance staff, etc.
- Direct and vicarious liability
 - > HUD definitions
 - > Follows the line of authority
- Personal liability



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4

Federal Protected Classes



Race



Color



Religion



Sex

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Federal Protected Classes



National Origin



Familial Status

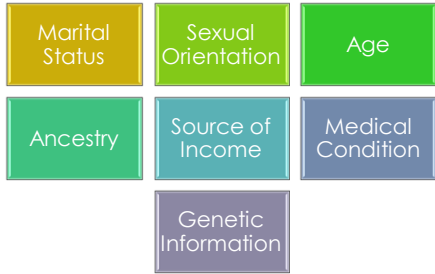


Handicap
'Disability' in
California

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6

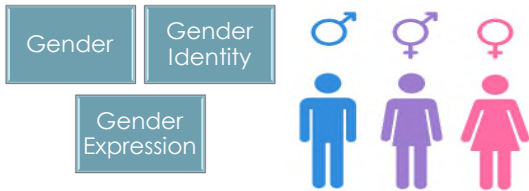
California Protected Classes



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California Protected Classes



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Handicap/Disability

- ⦿ An impairment that limits one or more of life's major activities or makes it difficult
 - > Includes certain medical condition, mental/psychological or physical conditions
- ⦿ Record of having a disability or being regarded as being disabled



Request for Accommodation

Resident

Requests: an accommodation or modification

Resident

Provides: verification of disability and disability-related need

Landlord

Determines: is the request reasonable?

Reasonable Modifications

- ⦿ Physical change to the premises to make it accessible
- ⦿ Done at tenant's expense
 - > Exceptions
- ⦿ Workmanlike manner
 - > Restore interior if would negatively affect the next resident
- ⦿ Common area modifications



Reasonable Accommodations

- ⦿ Exceptions to rules, policies, practices, or services
- ⦿ May or may not cost money
- ⦿ Examples
 - > Parking
 - > Assistive animals



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When Asked By Other Residents

Resident: So, what's the deal anyway? How come the people next door get to have a dog when nobody else here gets to have one?

- Employee:**
- Refer resident to management
 - Do not reveal personal information about another resident
 - Other potential responses?

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Putting Fair Housing Into Practice

- ⦿ Careful Communications
- ⦿ Maintenance Policies
- ⦿ Handling Maintenance Requests
- ⦿ Preventing Harassment



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Maintenance Policies

- ⦿ Company attitude starts at the top
- ⦿ Code of conduct
 - > Read and follow rules consistently
- ⦿ Treat all residents the same
 - > No discrimination
 - > No preferential treatment

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Intake of Maintenance Requests

- ⦿ Have a procedure in place for submission of maintenance requests
- ⦿ Get detailed information so you are prepared
 - > Date & time of request
 - > Resident info:
 - Animals in unit?
 - Permission to enter?
 - Will anyone be home at time of repair?
- ⦿ Exact nature of problem?



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Handling Maintenance Requests

- ⦿ Law requires equal service to all residents
- ⦿ Respond to maintenance requests in the order received
 - > First come, first served
 - Unless emergency
 - Or company has priorities based on what can be done in-house
- ⦿ Document, document document!



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Responding to Emergencies

- ⦿ What constitutes an emergency?
 - > Have a list
- ⦿ Have a standardized response for all other service requests
 - > Turnaround time and protocol to be followed



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During the Maintenance Visit

- ⦿ A resident's home is his/her castle
 - > Don't touch or make comments regarding the resident's belongings
 - > Don't go into areas other than where you are making the repair
 - > Don't wear more protective gear than necessary



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During the Maintenance Visit (cont.)

- ⦿ When making repairs:
 - > Follow-up with resident after entry and keep resident informed of any delays or needed return visits
 - Don't make unrealistic promises
- ⦿ Document everything



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Other Fair Housing Tips

- Be the eyes and ears of management
 - > Drugs/illegal activity
 - > Hoarding/unsanitary conditions
 - > Unauthorized persons/pets
 - > Observing discrimination between residents
 - > Loud noises
 - > Acts of vandalism
- Document, document, document!



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22

Please send your questions to:
education@kts-law.com

Thank you!

This concludes our presentation today.

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