

Sample Nondiscrimination Policy

It is the policy and commitment of [insert name of company here] that it does not discriminate on the basis of race, color, sex, pregnancy, childbirth, or pregnancy-related conditions, age (if the individual is 40 years of age or older, religion, national origin, disability, sexual orientation, or gender identity in the rental of its residential dwellings. [Insert name of company] affirms its policy of equal housing opportunity pursuant to state and federal fair housing laws.

Harassment or intimidation of a tenant, staff person or guest because of that person's race, color, religion, sex, national origin, familial status, source of income, disability, sexual orientation, or gender identity, is specifically prohibited and may be grounds for termination of employment and/or of tenancy. Harassment and intimidation includes abusive, foul or threatening language or behavior.

It is also the policy of this property that all qualified individuals with a disability are entitled to a reasonable accommodation or modifications to the property that will permit the individual an equal opportunity to use and enjoy the premises. Requests for exceptions to community rules, policies, practices, or services or structural modifications should be made to:

Issues of discriminatory treatment, harassment, or intimidation on any of these bases should immediately be reported to _____ and, if substantiated, prompt action will be taken to remedy the actions taken.

Internal Non-Discrimination Policy for Staff:

In furtherance of [insert company name here]'s commitment to equal housing opportunity:

All applications, leases, and tenant rules of this property shall contain the following language, "All persons will be treated fairly and equally without regard to race, color, religion, sex, national origin, familial status, source of income, disability, sexual orientation, or gender identity."

All advertising (newspapers, brochures, yellow pages, in the telephone directory, etc) pertaining to this property shall contain an Equal Housing Opportunity Logotype, statement or slogan as a means of educating the home-seeking public that the Respondent's properties are available to all persons regardless of race, color, religion, sex, national origin, familial status, source of income, disability, sexual orientation, or gender identity.

All staff shall model appropriate non-discriminatory behavior and strive to cultivate and maintain a living environment that is free from discrimination. All staff shall be trained in fair housing laws.

It is the policy of [insert name of company here] to provide reasonable accommodations and to permit tenants with disabilities to make reasonable modifications upon request, with provision of appropriate documentation of the need for the accommodation or modification.

Procedure:

1. Staff who receive a request for a reasonable accommodation or modification should immediately review the request, and provide the tenant with a prompt response. The request from the tenant does not need to be in writing, however, the staff person should document the

date, time and nature of the request. In some cases, the need for an accommodation may be obvious, so no supporting medical documentation from the tenant may be needed. When the need is not obvious or where the accommodation entails more than minimal cost or staff time, you can request the tenant to provide written verification from the tenant's healthcare or mental health provider that the tenant has a disability and needs the accommodation or modification (the provider need not be an M.D.). You can require proof that the tenant is disabled, but cannot require the tenant to provide specific information about the nature of his/her disability. You are also entitled to know how the requested accommodation or modification is necessary to accommodate that individual's limitations in order to assist that person in using or enjoying the premises.

2. The fair housing laws require that the housing provider and the tenant enter into an interactive dialogue about the tenant's need for the requested accommodation and/or modification in order to reach a mutually acceptable solution. The dialogue should be an opportunity for both parties to suggest easier, quicker or less expensive alternate accommodations that may work. If you are unsure how to provide a requested accommodation, the tenant may be aware of resources of which you are unfamiliar. If you grant the accommodation, provide the tenant with written documentation that you are granting the request. If you and the tenant disagree about whether the request is reasonable, the request should only be denied if it poses an undue financial and administrative burden or because it would cause a fundamental alteration in the housing program. You should document the denial in writing to the tenant.

Procedures to follow when dealing with internal complaints of discrimination.

- Staff who witness, learn, or receive a complaint from a tenant of possible discriminatory treatment, harassment, or intimidation, must take it seriously and respond promptly according to the procedures outlined in this policy.
- Procedure:
- In cases of emergency such as immediate threat of bodily harm, call 911.
- When a tenant complains of discriminatory harassment, tell the tenant that you take the complaint seriously and will be looking into the matter.
- Take a detailed statement from the complaining party, have the individual be as detailed as possible with specific dates, times, with a detailed description of the events as they are alleged to have occurred. Also ask about any potential witnesses to the event or similar events.
- Conduct a prompt investigation to determine whether a violation of this policy has occurred based on all facts and circumstances, the nature of the allegation, and the context in which the alleged incidents occurred.
- When discussing the allegations with the alleged harasser, tell them that harassment is not tolerated and that you will be investigating the allegation. 9 Document all information gathered.

If you are unable to verify a violation of the policy following the investigation:

- Document the complaint and results of the investigation in both the complaining party and the alleged harasser's files.
- Remind each individual alleged to have engaged in discriminatory harassment about management's serious commitment to a housing environment free of harassment and that retaliation against the complaining party will not be tolerated.

- For ongoing tenant conflict that cannot be verified as motivated by discrimination, staff may wish refer tenants to a local dispute resolution center or other local mediation service or hire an outside consultant/mediator
- Proceed with progressive disciplinary action up to and including eviction if necessary for ongoing unresolved conflicts.

If the investigation supports a violation of this policy:

- Document the complaint and results of the investigation in both the complaining party's and alleged harasser's files;
- Proceed with progressive disciplinary action up to and including eviction if necessary for ongoing or serious violations
- For example if the allegation involves an isolated incident or a single derogatory statement, it may be appropriate to issue a 10 day notice to comply with a stern written warning that additional incidents could result in termination of tenancy. On the other hand if the allegation involves a single incident of highly offensive language along with threats, a notice to terminate tenancy may be appropriate
- Inform the complaining party of the results of the investigation and the actions taken.
- Remind all parties that retaliation against the complaining party or others involved in the investigation will not be tolerated.
- Staff shall monitor for retaliation against any person involved in the filing or investigation of a complaint of discriminatory harassment or intimidation.
- Retaliation by the alleged harasser shall be dealt with in the same manner as the original allegation or discriminatory harassment under this policy.
- Retaliation by staff against any tenant complaining of harassment will not be tolerated and may be grounds for disciplinary action up to and including termination.