

GENERAL FAIR HOUSING LAW

INTERMOUNTAIN FAIR HOUSING COUNCIL



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WHO ARE WE?

IFHC is a nonprofit organization whose mission is to ensure open and inclusive housing for all people. IFHC's purpose is to advance equal access to housing for all persons without regard to race, color, sex, religion, national origin, familial status, gender identity, sexual orientation, source of income, or disability. IFHC attempts to eradicate discrimination through education of the fair housing laws, housing information and referrals, housing counseling and enforcement including filing complaints under the Fair Housing Act.



Housing Justice For All

WHAT IS THE FAIR HOUSING ACT?

The Fair Housing Act, Title VIII of the Civil Rights Acts, prohibits discrimination in housing.



WHY FAIR HOUSING?

Where you live determines:

- Where your children go to school
- Ease of getting to work, healthcare, recreation
- What kind of physical danger you may be exposed to

It is good for the community:

- Ensures it is a good place for future businesses to locate
- Promotes economic growth and welfare for all

THE PROTECTED CLASSES:

- Race
- Color
- Religion
- National Origin
- Disability
- Familial Status (presence of children under 18 yrs. old)
- Sex
 - Sexual Orientation/Gender Identity in HUD-Funded Housing
 - <http://portal.hud.gov/hudportal/documents/huddoc?id=LGBTPR.PDF>



HOUSING COVERED UNDER THE
FAIR HOUSING ACT
INCLUDES BUT IS NOT LIMITED TO:

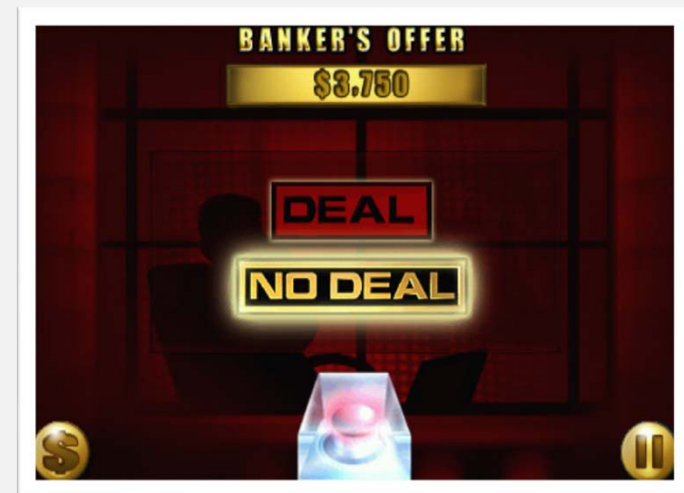
- Condominiums
- Duplexes
- Multi-unit dwellings (apartments) with 4 or more units
- Manufactured homes
- Group homes for the recovery of drug addicts and alcoholics
- Seasonal bungalows
- Private homes
- Vacant land
- Homeless shelters
- Shelters for victims of domestic violence
- Hospice
- Nursing Home
- Assisted Living

FAIR HOUSING ACT APPLIES TO MANY DIFFERENT HOUSING TRANSACTORS:

- Advertising media
- Residential landlords
- Rental agents
- Housing Agents/Managers
- Real Estate Brokers and Salespersons
- Homeowners
- Homebuilders
- Refugee Agencies
- Banks, Savings and Loan Associations, Mortgage Lenders or other financial institutions
- Developers and contractors
- Landowners
- Condominium developers or owners
- Home Owner and Condo Owner Associations

MAKING HOUSING UNAVAILABLE

- 42 U.S.C. sec. 3604(a); examples at 24 CFR sec. 100.60
- Failing to accept a bona fide offer
- Refusing to negotiate with someone
- Imposing different sales prices or rental charges
- Using different qualification criteria or applications
- Evicting someone
- Conditioning availability on response to harassment
- Harassing someone until they leave



DISCRIMINATORY TERMS AND CONDITIONS

- 42 U.S.C. sec. 3604(b); examples at 24 CFR sec. 100.65
- Using different provisions in a lease or contract of sale
- Failing to make repairs
- Failing to process an offer
- Limiting use of privileges and facilities
- Tying services to sexual favors
- Conditioning services on response to harassment
- Harassing people when they use services



An extremely common
limitation
on use of facilities

DISCRIMINATORY STATEMENTS

- 42 U.S.C. sec. 3604(c);
examples at 24 CFR sec.
100.75
- Using words or pictures that
hint that a place is available or
unavailable to groups of people
- Telling people that a place is
available or unavailable to
groups of people
- Choosing advertising locations
- Changing terms in advertising



Human models in advertising
are bad news
if they aren't diverse

ADVERTISING EXCEPTION?

Per HUD/case law say roommates may advertise for gender only. (This may be challenged so be careful!)

For example: “female roommate wanted”

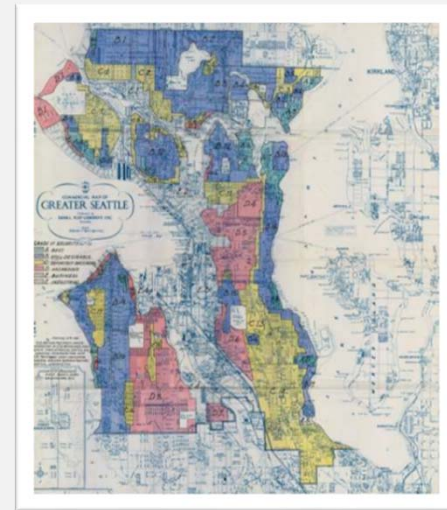
However, you can still not show a preference based on any of the other protected classes: race, religion, color, national origin, familial status, or disability

ADVERTISING EXAMPLES

- “Christian only” or “female only”
- “empty nesters” or “# children only”
- “adults only” or “mature couple”
- “near ... Church”
- “no disabled” or “able-bodied only”
- “religious reference”
- “must be employed”
- “no Español”
- **HUD’s Advertising Guidance:**
<http://www.hud.gov/offices/fheo/disabilities/sect804achtenberg.pdf>

STEERING

- 42 U.S.C. sec. 3604(d); examples at 24 CFR sec. 100.80
- Lying about availability
- Lying about conditions of rental or sale
- Enforcing restrictive covenants
- Failing to offer places
- Lying in response to harassment



Redlining in Seattle

OTHER VIOLATIONS

- Blockbusting, 42 U.S.C. sec. 3604(e)
- Coercion and retaliation, 42 U.S.C. sec. 3617

HOUSING PROVIDERS MAY:

- Check references
- Check ability to pay rent
- Inquire on how best to make reasonable accommodations for prospective tenant
- Create rules for benefit of entire community
 - Given rules are not discriminatory

IGNORANCE OF THE LAW



- Ignorance of the law is no defense
- A defendant may not claim that s/he was not properly informed regarding the law
- It is the housing provider's responsibility to be educated on housing laws

SCENARIO

John and Bess are looking for a new place to live. They scour the ads daily and find a perfect unit in a perfect location. However, the advertisement says that the unit is “perfect for retirees.” John and Bess have a two year old.

Is this ad a fair housing violation?

RACE, COLOR, RELIGION

Race is group of people identified as distinct from other groups because of supposed physical or genetic traits shared by the group.

Color refers to the color of your skin.

Religion refers to the belief in a faith or system of worship or no practice of a faith.

HOT TOPICS:

Addressing hate & harassment (tenant-on-tenant harassment, housing provider-tenant)

HUD's Guidance on Hate and Harassment:

<https://www.gpo.gov/fdsys/pkg/FR-2016-09-14/pdf/2016-21868.pdf>;

Criminal background (HUD guidance)



HARASSMENT RULE: QUID PRO QUO

Quid Pro Quo Harassment occurs when:

A person is subjected to an unwelcome request or demand because of his or her protected characteristic, i.e., of sex, race, color, religion, national origin, familial status, or disability, AND

Submission to the request or demand is, either explicitly or implicitly, made a condition related to housing or a residential real estate-related transaction.

A person's conduct may constitute quid pro quo harassment whether or not the victim submits to the unwelcome request or demand.

HARASSMENT RULE: HOSTILE ENVIRONMENT

Hostile environment harassment occurs when a person is subjected to unwelcome conduct that is sufficiently severe or pervasive as to interfere with the availability, terms, conditions or services of his or her housing or a residential real estate-related transaction because of a protected characteristic.

NATIONAL ORIGIN

National Origin refers to one's ancestor's, place of origin; or because an individual has the physical, cultural or linguistic characteristics of a national origin group.

Difference in treatment or in impact

Harassment

Bans on smells, foods, language

Policies involving criminal background, arrests, etc.

Marketing to diverse groups

AFFIRMATIVE MARKETING

- For federally subsidized but all housing--
- The Affirmative Fair Housing Marketing Plan (AFHMP) is a marketing strategy designed to attract renters and or buyers of all majority and minority groups, regardless of protected class to assisted rental units and sales of dwellings that are being marketed.
- Affirmative marketing differs from general marketing activities because it specifically targets potential tenants and homebuyers who are least likely to apply for the housing, in order to make them aware of available affordable housing opportunities.

SCREENING ALTERNATIVES: IDENTITY

- Resident aliens, including refugees, have “A-numbers,” as shown on the right
- Recent refugees may have a DHS Refugee Travel Document
- Refugee agencies have already screened new arrivals



SCREENING ALTERNATIVES: RENTAL HISTORY AND CREDIT

RENTAL HISTORY

- Utility records
- School records
- Endorsement from previous landlord
- Copy of lease from former residence

CREDIT

- Income verification from employer
- Contracts for purchases
- Sponsorship letters
- Pay stubs
- Benefit award letters
- Paid bills

These aren't exclusive: you can make a judgment call on other documents

TITLE VI: LANGUAGE ACCESS

- Title VI of the 1964 Civil Rights Act
- U.S. Supreme Court—Lau v. Nichols (1974)
- Executive Order 13166 (2000)
- Federal Agency Guidelines

HUD – 2007

- **HUD Guidance:**
<http://portal.hud.gov/hudportal/documents/huddoc?id=lepmemo091516.pdf>

FAIR HOUSING AND LEP

- LEP refers to a person's limited ability to read, write, speak, or understand English.
- People with limited English proficiency are not a protected class under the Fair Housing Act.
- However, the Fair Housing Act prohibits discrimination based on national origin, which is closely linked to the ability to communicate proficiently in English (LEP).

NATIONAL ORIGIN DISCRIMINATION

- Failure to provide interpretation when persons are LEP
- If federally funded, have a Language Access Plan
- Whether federally funded or not, do not treat differently or worse when someone is LEP

LANGUAGE ACCESS PLAN

- If federally assisted (mandated), but best practice for all:
 - Have a Language Access Policy
 - Have Procedures
 - Provide interpretation
 - I Speak Card
 - Translation—vital docs
 - Staff training
 - Monitor and Evaluate

RESOURCES

- U.S. Department of Justice: www.lep.gov
- Court House or Boise Interpreters
- Universities, Agencies, Community Groups
- IFHC
- Apps
- www.gehanes.com
 - Offers to Interpret
 - Langwij Finder

FAIR HOUSING VIOLATIONS?

A client has called you for advice. Tenant A does not like Tenant B because of the smell from her cooking that drifts over to her apartment. It smells unappetizing to her. Tenant A also does not like Tenant B's children making noise and has called the police twice. Tenant B has a toddler and a nine year old. She stays home but her husband works during the day. Although Tenant B does not speak English well, Tenant B believes that Tenant A does not like her because she makes comments toward her about her food, her dress, and her children that sound unfriendly. The landlord talks to Tenant A but does not interview Tenant B as it is expensive to get an interpreter. Sometime the landlord uses Tenant B's older child to interpret or Tenant B's friends who speak English.

BEST PRACTICES

Fair Housing Issues: The landlord and Tenant A's behavior may be a violation of the Fair Housing Act based on national origin (language) and familial status. Best practice is for the landlord to interview both tenants to try to resolve inter-tenant issues and document such. Best practice is to use an adult interpreter who is competent in the language and not related to the tenant. Best practice is to focus on addressing behavior and not protected status.

CRIMINAL HISTORY

HUD's Criminal Background Guidance:

http://portal.hud.gov/hudportal/documents/huddoc?id=HUD_OGCGuidAppFHASStandCR.pdf

THE PROBLEM WITH CRIMINAL HISTORY CHECKS

- **Analyzed in an April 4, 2016 memo by HUD lawyers**
- **Because people of some Latinos and Blacks are more likely to be arrested, convicted, and imprisoned, the Fair Housing Act applies**
- **The policy needs to have a legitimate, nondiscriminatory purpose**
- **Some housing providers were going way too far, imposing policies that couldn't be justified**
- **Convictions for drug manufacturing or distribution aren't covered by this memo**
- **The memo doesn't mention sex offenders, but people on the lifetime registry are banned from public housing**

EXAMPLES OF POLICIES THAT GO TOO FAR

- Banning people based on arrests, not on convictions: arrests don't prove anything unless you're convicted



EXAMPLES OF POLICIES THAT GO TOO FAR

- Banning people based on crimes that don't pose a threat to neighbors



A Crime a Day
@CrimeADay

Follow



16 USC §§1540, 1538(a)(1)(B), 1532(19) & 50 CFR §17.11(h) make it a federal crime to pursue a gorilla in the United States.

5:50 PM - 5 Jan 2018

EXAMPLES OF POLICIES THAT GO TOO FAR

- Banning people based on very old offenses
- Someone who hasn't committed a crime in seven years has the same odds of re-offending as someone who's never committed a crime in the first place



Would you ban him based on his offenses from fifteen years ago?

RECOMMENDATIONS

- Don't ban people based on anything other than convictions
- Don't ban people based on offenses that are more than seven years old
- Don't blindly follow your background check service's report: they can be inaccurate
- Allow people to submit evidence to show that they'll still be a good tenant, such as proof of good behavior since then
- If you deny someone, put the reason in writing so they don't think it was for an improper reason (you have to do this for credit anyway)

SEX

Difference in treatment

Sexual harassment (see prior slides on Quid Pro Quo and Hostile Environment)

Rules that have a disparate impact

Domestic Violence

Women and women of color disproportionately affected

Review VAWA

HUD Guidance: <http://www.hud.gov/offices/fheo/library/11-domestic-violence-memo-with-attachment.pdf>

Nuisance Ordinance

Crime Free Lease Rules

SEXUAL ORIENTATION/GENDER IDENTITY

- **Sexual Orientation** refers to who you love/like/attracted to
- **Gender Identity** refers to what gender or no gender you identify with
 - **Pronoun offer**—I use the pronoun she or her
 - **If the housing denial is because of the prospective tenant's non-conformity with gender stereotypes, it may constitute illegal discrimination on the basis of sex under the Fair Housing Act.**

HUD RULE: EQUAL ACCESS

- HUD Rule Adopted March 2012
 - Equal Access
 - Definitions
 - Sexual Orientation: Homosexuality, Heterosexuality, Bisexuality
 - Gender Identity: Actual or perceived gender related characteristics
 - Inquiries—can't inquire into one's sexual orientation/gender identity
 - Applies to HUD programs: FHA insured loans, Section 8, public housing, CDBG

CITY ORDINANCES

- The following Idaho cities have [ordinances](#) prohibiting discrimination on the basis of sexual orientation and gender identity: [Boise](#), [Coeur d'Alene](#), [Driggs](#), [Idaho Falls](#), [Ketchum](#), [Lewiston](#), [Moscow](#), [Meridian](#), [Pocatello](#), [Sandpoint](#), and [Victor](#).
- The city of [Twin Falls](#) has an ordinance prohibiting discrimination on the basis of sexual orientation only.

FAMILIAL STATUS

Refers to the presence of children under the age of 18

Rules regarding children

Safety yes, but don't segregate, be overly restrictive or tell people where to sleep

HOPA-Housing for Older Persons Act

Exception—55+ and 62+ housing

Must start out as HOPA housing cannot evict families to become HOPA housing

FAMILIAL STATUS

- **Occupancy**
 - 2 per bedroom plus one, don't count children under 5
 - Keating with caution
 - Connecticut Fair Housing Center et. al v. TGM Associates
- **Affordable housing**
 - NIMBYism, regulatory barriers (may include other protected classes)

DISABILITY/HANDICAP

A person who (42 U.S.C. 3602 (h)(1)-(3)):

- has a physical or mental impairment that substantially limits one or more major life activities
- has a record of such impairment
- is regarded as having such an impairment

HOT TOPICS

- Reasonable Accommodations/Modifications
- Service Animals
- Design and Construction (See our brochure and Accessibility First's Trainings)

REASONABLE ACCOMMODATIONS AND MODIFICATIONS

Or, “Avoiding Discrimination by Treating People Differently”

Most of the time, Fair Housing requires you to treat everyone **the same way**

Reasonable accommodations and modifications require you to treat people **differently**

Only available based on disability, not on other protected classes

ACCOMMODATIONS VS. MODIFICATIONS

ACCOMMODATIONS

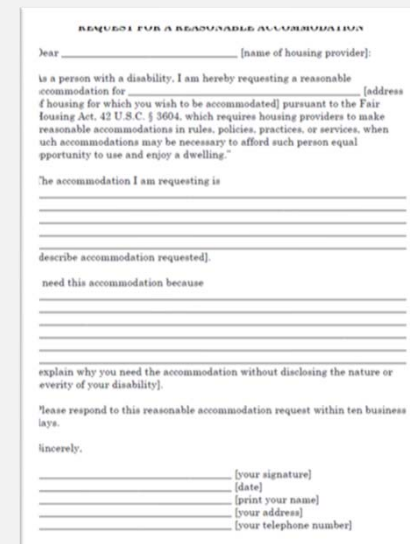
- Changes in rules, policies, practices, or services, that are necessary because of someone's disability
- Housing provider bears any costs involved

MODIFICATIONS

- Changes to the premises
- Resident bears costs (unless the cost is really cheap or it's public housing)
- Landlords can require tenant to remove interior modifications upon leaving

REQUESTING AN ACCOMMODATION OR MODIFICATION

- **Doesn't have to be in writing, but it's recommended**
- **No specific HUD form**
- **Request should state:**
 - **That the person has a disability (doesn't need to say which one)**
 - **That the person needs the accommodation or modification because of their disability**
 - **That the accommodation or modification is necessary to give them equal use of their housing**



REQUEST FOR A REASONABLE ACCOMMODATION

Dear _____ [name of housing provider]:

I am a person with a disability. I am hereby requesting a reasonable accommodation for _____ [address of housing for which you wish to be accommodated] pursuant to the Fair Housing Act, 42 U.S.C. § 3604, which requires housing providers to make reasonable accommodations in rules, policies, practices, or services, when such accommodations may be necessary to afford such person equal opportunity to use and enjoy a dwelling.

The accommodation I am requesting is _____

describe accommodation requested:
need this accommodation because _____

explain why you need the accommodation without disclosing the nature or severity of your disability:

Please respond to this reasonable accommodation request within ten business days.

Sincerely,

_____ [your signature]
_____ [date]
_____ [print your name]
_____ [your address]
_____ [your telephone number]

IFHC's sample RA request form

HOW DO I KNOW IF THEY REALLY HAVE A DISABILITY?

- Sometimes it's obvious. If it's obvious, you **can't** ask for proof.



AND IF IT ISN'T OBVIOUS?

- You can ask for a letter from a reliable third party who's in a position to verify the disability
 - Usually a doctor, but can also be a social worker, a counselor, or a family member
- Letter verifies:
 - Existence of the disability
 - Reason for the accommodation or modification
 - The person needs the accommodation or modification to have equal use of their housing

PROOF OF NEED FOR A REASONABLE ACCOMMODATION
(to be provided directly to verifier by resident)

have been contacted by _____ (name of resident) regarding his/her need for a reasonable accommodation. I have been informed that the accommodation he/she has requested is: _____ (describe the accommodation requested)

I (relationship to the person requesting the accommodation is: _____ (describe the nature of your relationship to the resident, i.e. "doctor", "social worker", "therapist", etc.))

verify that he/she is disabled or "handicapped," as defined below (circle one): YES NO

verify that he/she needs the requested accommodation because of his/her disability, and that such an accommodation may be necessary to afford him/her the equal opportunity to use and enjoy his/her rental (circle one): YES NO

signature _____ Date _____

OFF NAME _____

HANDICAP IS DEFINED BY FEDERAL REGULATIONS (24 CFR 110.20) AS FOLLOWS:

Handicap means, with respect to a person, a physical or mental impairment which substantially limits one or more major life activities, a record of such an impairment, or being regarded as having such an impairment. This term does not include current, illegal use of or addiction to any controlled substance. For purposes of this part, an individual shall not be considered to have a handicap solely because that individual is a transsexual or used in that definition.

1 "Physical or mental impairment" includes:

- (1) Any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: Neurological, musculoskeletal, special sense organs, respiratory (including speech organs), cardiovascular, reproductive, digestive, genitourinary, hemato and lymphatic, skin, and endocrine; or
- (2) Any mental or psychological disorder such as mental retardation, organic brain syndrome, emotional or mental illness, and specific learning disabilities. The term "physical or mental impairment" includes, but is not limited to, such disorders and conditions as epilepsy, stroke, speech and hearing impairments, cerebral palsy, autism, epilepsy, muscular dystrophy, multiple sclerosis, cancer, heart disease, diabetes, Human Immunodeficiency Virus infection, sexual orientation, emotional illness, drug addiction (other than addiction caused by current, illegal use of a controlled substance) and substance abuse.

2 "Major life activities" means functions such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning and working.

3 "Has a record of such an impairment" means has a history of, or has been misclassified as having, mental or physical impairment that substantially limits one or more major life activities.

4 "Is regarded as having an impairment" means:

- (1) This a physical or mental impairment that does not substantially limit one or more major life activities but that is treated by another person as constituting such a limitation.
- (2) This a physical or mental impairment that substantially limits one or more major life activities only as a result of the attitudes of other toward such impairment; or
- (3) This one of the impairments defined in paragraph (a) of this definition but is treated by another person as having such an impairment.

IFHC's sample Proof of Need

PLEASE DON'T

- **Don't** ask about the diagnosis, or any other questions about the nature or severity of the disability
- **Don't** directly contact the person who fills out the Proof of Need form
- **Don't** ask for a HIPAA release
- **Don't** dilly-dally: delays can be treated as denials
- **Don't** charge a fee for an accommodation

WHEN CAN YOU TURN DOWN A REQUEST?

ACCOMMODATIONS

- **The person doesn't have a disability**
- **The accommodation they're asking for isn't related to their disability**
- **They're asking you to act as a service provider (undue administrative burden)**
- **It's unreasonable, considering**
 - **Cost of accommodation (undue financial burden)**
 - **Housing provider's resources**

MODIFICATIONS

- **The person doesn't have a disability**
- **The modification they're asking for isn't related to their disability**
- **OK to require the person to get permits and do a competent job of modifying the premises**

DON'T JUST SAY NO!

- Housing providers are required to have an interactive process
- If you can't give them what they initially ask for, ask if there are other accommodations or modifications that might work



COMMONLY REQUESTED ACCOMMODATIONS

- **Additional time to move out for people with mobility impairments**
- **Waive a “no cosigners” rule for someone whose only source of income is disability**
- **Assigned parking spaces for people with parking cards**
- **Overlook a previous eviction or arrest if they happened during a period of untreated mental illness**
- **Allow a group home for people with disabilities to operate in a neighborhood that tries to prohibit them**
- **And, of course, animals.**

ASSISTANCE ANIMALS

Not just for people who are sight impaired any more

Research shows benefits for people with PTSD, anxiety, diabetes, and other disabilities



Assistance dog for Marine veteran

KNOW THE DIFFERENCE

SERVICE ANIMAL

- **Rules apply to public spaces under Americans with Disabilities Act**
- **Must be dog or miniature horse**
- **Must be trained (either at home or professionally) to do something that an ordinary animal can't do**

ASSISTANCE ANIMAL/COMPANION ANIMAL/EMOTIONAL SUPPORT ANIMAL

- **Rules apply to homes and common area under the Fair Housing Act**
- **No species, breed, or restrictions**
- **Can be more than one**
- **Don't need more training than an ordinary animal**

ASSISTANCE ANIMAL NO-NOS

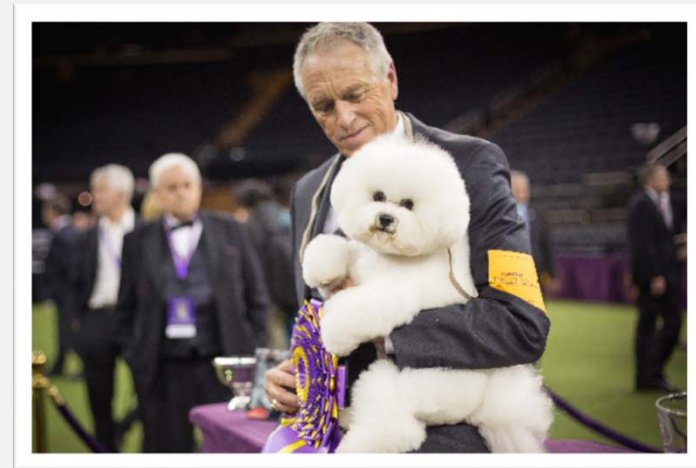
- **Don't** charge a pet deposit or pet rent (remember, no fees for accommodations)
- **Don't** restrict species, breed, or age
- **Don't** put unreasonable restrictions on the animal
- **Don't** require the proof of need to come from a particular provider
- **Don't** call the proof of need provider
- **Don't** put an unreasonably small cap on the number of animals—(we know two birds and two cats are OK)



Assistance lizards: every bit as valid as assistance dogs

ASSISTANCE ANIMAL OKS

- It's **OK** to bill someone for damages caused by an animal
- It's **OK** to require the resident to have a plan for dealing with animal waste
- It's **OK** to require an animal to be well-behaved



...they don't have to be *this* well-behaved, though

WHAT IF I THINK IT'S A SCAM?

- **Sometimes people who aren't in a position to know about a disability still offer proof of need forms for an exorbitant fee**
- **If you have good reason to question the reliability of the person providing the proof of need, document it**



I'D LOVE TO ALLOW THE ANIMAL, BUT...

- **HOAs, cities, and insurance companies are also subject to the Fair Housing Act**
- **If an HOA rule, city ordinance, or insurance policy is standing between your resident and their animal, you can request an accommodation from them, too**



EXAMPLE I

John has a disabling condition exacerbated by noise from neighbor's apartment OR cooking smells OR strong fragrances OR second hand smoke that come into their apartment. John asks for a reasonable accommodation requesting that the other tenants in the complex be banned from doing this activity. What if John asks to be moved to another unit?

Is this reasonable?

Does it matter how big or small the complex is?

THOUGHTS

- Is the request reasonable? Is this request burdensome?
- Can the housing provider control the behavior of the other tenants? Especially if they have the right to do whatever the activity is?
- It may be a fundamental alteration for the landlord to restrict other tenant's basic amenities, such as cooking in their apartments.
- If he asks to be move to another unit, it may be reasonable to grant it.
- Again, housing provider has an obligation to engage in an interactive dialogue about alternatives.

CAUTION!

- Each request must be considered on a case-by-case basis to determine if granting the request may be necessary to afford a person with a disability an equal opportunity to use and enjoy a dwelling.

THE PROOF OF NEED IS FROM OUT OF STATE?

The housing provider receives a proof of need from out of state. The person providing the verification is an Idaho resident. The housing provider wants to call the verifying party and check their credentials. If they cannot, they want to deny the request.

Should they?

ANSWER:

A housing provider cannot inquire into the nature and severity of the disability.

Verifying providers may be prohibited from HIPAA from speaking with the housing provider.

Ask if the applicant/tenant can get a proof of need from a local provider.

**Ask if they have any ties to the state where the proof of need came from.
Maybe it is their home state.**

Do not deny the request solely on the basis that the housing provider cannot speak with the verifying party.

THE COMPANION ANIMAL CAUSED DAMAGE TO THE UNIT?

A companion animal may cause damage to the unit. Can a housing provider charge an extra deposit? Extra rent?

Can they charge the resident for damage upon the resident's move out?

ANSWER:

- A housing provider cannot charge a deposit or extra rent for a service animal.
- A housing provider can charge the resident for damage caused.

IDAHO'S RENTAL CRISIS

Or, "Time to Build"

THE RENT IS TOO DARN HIGH

In every metro area in the state, at least a third of renters are paying more than 30% of their incomes in rent, and in most metro areas, about a quarter of renters are paying more than half their incomes in rent.

Source: Harvard Joint Center for Housing Studies

Metro Area	Cost-Burdened Renters	Severely Cost-Burdened Renters	Cost-Burdened Owners	Severely Cost-Burdened Owners
Boise	47.1%	23.2%	21.6%	9.9%
Idaho Falls	42.8%	26.3%	17.7%	5.9%
Pocatello	34.2%	21.5%	19.6%	10.6%
CdA	52.9%	30.6%	28.5%	15.8%
Twin Falls	35.3%	14.2%	21.0%	8.0%
Lewiston	47.1%	23.3%	20.8%	9.1%
Rexburg	41.2%	24.7%	17.5%	6.3%
Moscow	51.8%	28.6%	23.6%	8.3%
Blackfoot	40.6%	24.4%	17.7%	6.7%
Burley	35.5%	12.8%	20.9%	8.8%
Hailey	35.9%	9.7%	20.6%	10.5%
Sandpoint	51.8%	28.6%	23.6%	8.3%
Ontario, OR	39.9%	22.3%	25.4%	13.0%
Logan, UT	39.2%	18.7%	20.1%	6.9%

WHO CAN AFFORD COEUR D'ALENE?

Median rent for an apartment in Coeur d'Alene is \$1,450 per month. That means you would need to earn \$58,000 per year to afford the median apartment in Coeur d'Alene. The average person on the right can't afford it.

Source: trulia.com (median rent), U.S. Department of Labor (median salaries)

Job	# in CdA	Median Salary
Fast Food Worker	1,090	\$21,000
Cashier	1,430	\$21,860
Personal Care Aide	1,440	\$24,160
Nursing Assistant	710	\$27,420
Customer Service Rep	2,070	\$28,020
Retail Salesperson	2,310	\$29,180
Office Clerk	1,530	\$30,200
Medical Assistant	420	\$32,810
Secretary	920	\$33,490
Property Manager	100	\$36,150
Bookkeeper	720	\$36,780
Construction Worker	660	\$40,070
Mental Health Counselor	210	\$40,920
Firefighter	220	\$44,770
Police Officer	290	\$55,490

WHO DOES THIS HURT THE MOST?

- Parents, especially single-income households
 - More people getting roommates means fewer large units for families
- People on fixed incomes
 - Retirees
 - People receiving disability benefits
 - College students
- Latinos, People of Color



POTENTIAL SOLUTIONS

Get more landlords to take vouchers

Upzone

Encourage accessory dwellings

Shrink lot sizes

Repurpose vacant commercial space

Community land trusts



I PROTECT YOUR HOME.
CAN I BE YOUR NEIGHBOR?

FACT:
First-year fire fighters earn **\$43,528** annually and can reasonably afford **\$1,088** a month on rent or mortgage. The median monthly cost to own a home in Houston is **\$1,492**. The majority of homes in Houston are out of reach for entry-level fire fighters. They cannot afford to live where they help people.

SAY YES TO QUALITY HOMES FOR ALL INCOMES, IN ALL AREAS!
Learn more at www.houstontx.gov/housing/SayYes

SAY YES   

SOURCE: <http://hifcareers.org/benefits.html>. Housing cost source: 2011-2015 American Community Survey
Say Estimates B25088: Median selected monthly owner costs by owner-occupied units
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Houston poster promoting abundant housing

RESOURCES:

**U.S. Department of Housing and
Urban Development (HUD)**

1-800-669-9777

-or-

1-800-927-9275 (TDD)

www.hud.gov

**Intermountain Fair Housing
Council**

(208) 383-0695 in Boise

-or-

1-800-717-0695 (toll-free)

www.ifhcidaho.org

Web Resources:

- www.fairhousinglaw.org
- www.nationalfairhousing.org
- <http://fairhousing.jmls.edu/>
- <http://www.usdoj.gov/crt/housing/>
- www2.state.id.us/ihrc/about.htm
- www.hud.gov
- www.bazelon.org
- www.idaholegalaid.org

QUESTIONS?