

LEASING AND FAIR HOUSING CONSIDERATIONS

Federal and Florida fair housing laws prohibit discrimination in the sale or rental of a dwelling unit or to otherwise make a dwelling unit unavailable to any person on the basis of race, color, religion, sex, familial status, national origin or handicap. In addition, some Florida counties and municipalities have adopted ordinances that may include additional protected classes, such as marital status or sexual preference.

Each sales or leasing office should display an Equal Housing Opportunity poster that can be obtained from the Florida Commission on Human Relations.

The poster, available in English and Spanish, states discrimination is prohibited

- * In the sale or rental of housing or residential lots
- * In advertising the sale or rental of housing
- * In the financing or insuring of housing
- * In the provision of real estate brokerage services
- * Residences of four units or more that are not designed and constructed in an accessible manner
- * Failure to make modifications or accommodations for persons with mental or physical disabilities
- * "Steering" and "blockbusting" are also illegal.

To avoid any appearance of discrimination, all customers should be treated in the same manner. When showing the property, the same route should be taken and the same features and amenities shown.

Screening and background checks should be handled in the same way for all applicants. A person should not be required to meet additional criteria because they are handicapped. Denials should be based on screening criteria. Do not make exceptions for friends and families. Any exceptions made for one person creates a precedent which must be followed in the future, or creates a risk a claim of disparate treatment (I was treated differently than everyone else because I am a member of one or more of the protected classifications) will be made. Inequitable treatment of some applicants is one of the most common sources of evidence used to prove discrimination in fair housing cases.