

Renting-What you Should Know

Fair Housing, Understanding the Lease,
Communication, Eviction



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Tabor and LHOP are now Tenfold



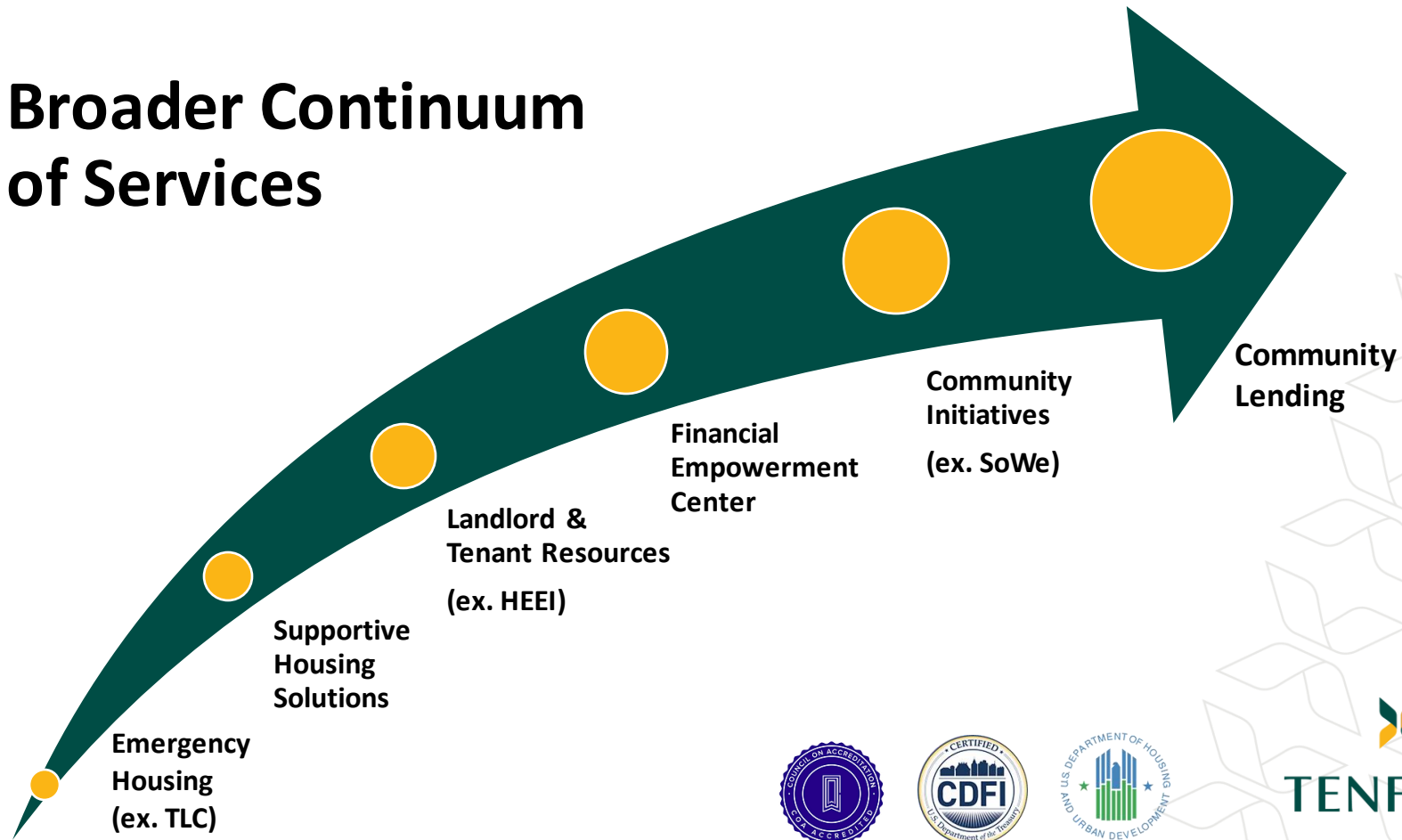
“We’re on a mission to spark the power in ALL people to achieve equitable housing and financial security.”



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Note: When in presentation mode, click image to play video—video link is also included in Notes section below.

Broader Continuum of Services



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Tenfold is a certified HUD Counseling Agency as well as a Community Development Financial Institution

Current Housing Challenges

- Lack of affordable housing
- Difficulty in finding new rental housing
- High rents
- Needed repairs in rental housing
- Difficulty in working through repair issues with landlords



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Today's topics:

- **Fair Housing Rights**
- **How to Look for Rental Properties**
- **Understanding a Lease**
- **Communicating with Your Landlord**
- **Navigating the Eviction Process**
- **Accessing Housing Resources**



Fair Housing

Know Your Rights



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- Federal: Fair Housing Act of 1968, Section 504, Rehabilitation Act of 1973
- Pennsylvania Human Relations Act
- Protected Classes
 - Race
 - Color
 - Religion
 - National Origin
 - Sex (Including Sexual Orientation & Gender Identity)
 - Familial Status
 - Disability
 - Age (over 40)*
 - Ancestry*
- *Protected at the state level
- Many localities have their own Fair Housing ordinances



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Lancaster City Fair Housing Laws

This ordinance provides for the equal treatment of all persons in employment practices, access to housing and commercial property, education, public accommodations, lending practices and real estate practices in the City of Lancaster without regard to:

- Sexual orientation or gender identity
- Familial, marital status, or pregnancy
- Guide dog or support animal
- Race, color, religion, ancestry, or national origin
- Gender, including sexual harassment, gender identity and orientation
- Age
- Handicap or disability
- Possession of GED

York City Fair Housing Ordinance

This ordinance provides for the equal treatment of all persons in housing practices, access to housing and commercial property, lending practices, and real estate practices in the City of York without regard to:

- Sexual orientation or gender identity
- Familial, marital status, or pregnancy
- Guide dog or support animal
- Race, color, religion, ancestry, creed, or national origin
- Gender, including sexual harassment
- Age
- Handicap or disability



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****Concerns regard employment and equal access are addressed in the York City Human Relations Ordinance**



- Refusing to rent or sell housing
- Refusing to negotiate for housing
- Making housing unavailable
- Denying a dwelling
- Setting different terms, conditions, or privileges for sale or rental of a dwelling
- Provide different housing service or facilities

- Falsely deny that housing is available for inspection, sale, or rental
- Steering
- Blockbusting
- Refusing to make reasonable accommodation or modification



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Examples of Discrimination

- For Rent: 4 BR Home available for God-fearing family.
 - This advertisement, would be an example of discrimination based on religion.
- I cannot rent the apartment to you because you have small children, and I am concerned about them falling off the balcony.
 - This example shows direct evidence of discrimination on the basis of familial status
- Charging people from another country a double security deposit even though they qualify.
 - This example shows discrimination based on national origin
- I think you would be better off in a unit closer to the facilities, since you need a cane to walk around
 - This is an example of steering and discrimination based on disability



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- **Handicap/Disability**

- Does NOT Include:

- Current illegal substance abusers
- An individual who poses a “direct threat” to the **health and safety** of others
- An individual whose tenancy would result in substantial physical damage to the **property** of others
- Under Fair Housing Laws, people with handicaps or disabilities have the right to request **Reasonable Modifications** and/or **Reasonable Accommodations** in order to be able to fully use and enjoy their housing.

Reasonable Accommodations and Modifications

Reasonable modification:

- *alteration of the physical characteristics of the premises to make the premises accessible*
- *e.g. handrails, grab bars, lowering countertops or cabinets*

Reasonable accommodation:

- *adaptation of the policies, procedures, or rules in order to ensure equal opportunity to enjoy the premises*
- *e.g. support animals, parking spaces, additional keys for aides*



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- Must be requested verbally or in written by tenant(or a representative of the tenant)
- The request is necessary for the tenant to be able to use and enjoy the dwelling
- “Reasonable”: does not cause an undue administrative burden
- Refusal to allow tenant to make reasonable modifications or refusal to make a requested reasonable accommodation may be grounds for a complaint of discrimination based on handicap/disability.



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Assistance and Emotional Support Animals

- This term includes both service animals and emotional support animals
- A tenant should get documentation from medical/mental health provider regarding their need for the assistance animal and submit a reasonable accommodation request
- The housing provider may require the tenant to fill out a form
- The housing provider may not require the tenant to disclose personal medical information – only the disability-related need for the animal
- The housing provider may not charge any additional fees, deposit, or rent for the animal and the animal is not subject to breed restrictions under pet policies



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Fair Housing & Criminal Records

- Landlords may require a background check
- Recent federal guidance requires landlords to take into consideration:
 - The nature & severity of the crime
 - How old the record is
 - Rehabilitative efforts since the conviction
- This is required because “blanket bans” on people with criminal records can have a disparate impact on people in protected classes
- Determinations cannot be made on arrest records alone for the same reason
- Your criminal background is not necessarily indicative of whether or not an individual will be a good tenant



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Examples of housing discrimination against persons with criminal backgrounds

- A leasing agent only requires certain applicants to undergo a criminal background check
- A leasing agent tells you that they make decisions about applicants based on arrest records
- You have a criminal record related to your disability, and request a reasonable accommodation to a criminal records screening, but are denied
- You are discouraged from submitting an application because of a conviction on your record
- A housing provider's policy rejects all applicants with any criminal record
- A property manager says you must move (or won't rent to you) because you've been arrested for domestic violence, even if you were the victim



Exemptions To Fair Housing Laws

Single family residence

- Sale or rental of a single-family home
- Owner does not own or have interest in more than 3 single-family homes at any one time
- Does not use the services of a real estate agent or broker
- “A man’s home is his castle”
- This is a federal exemption, but does not apply to PA Human Relations Act

Housing for older persons (familial status):

- Policies and procedures demonstrate an intent to provide housing for persons 55 and over

Ms. Murphy’s exemption:

- Owner-occupied dwelling that includes housing for no more than 4 families living independently.
- Under PA Human Relations Act, this exemption only applies to housing with 2 or fewer units.

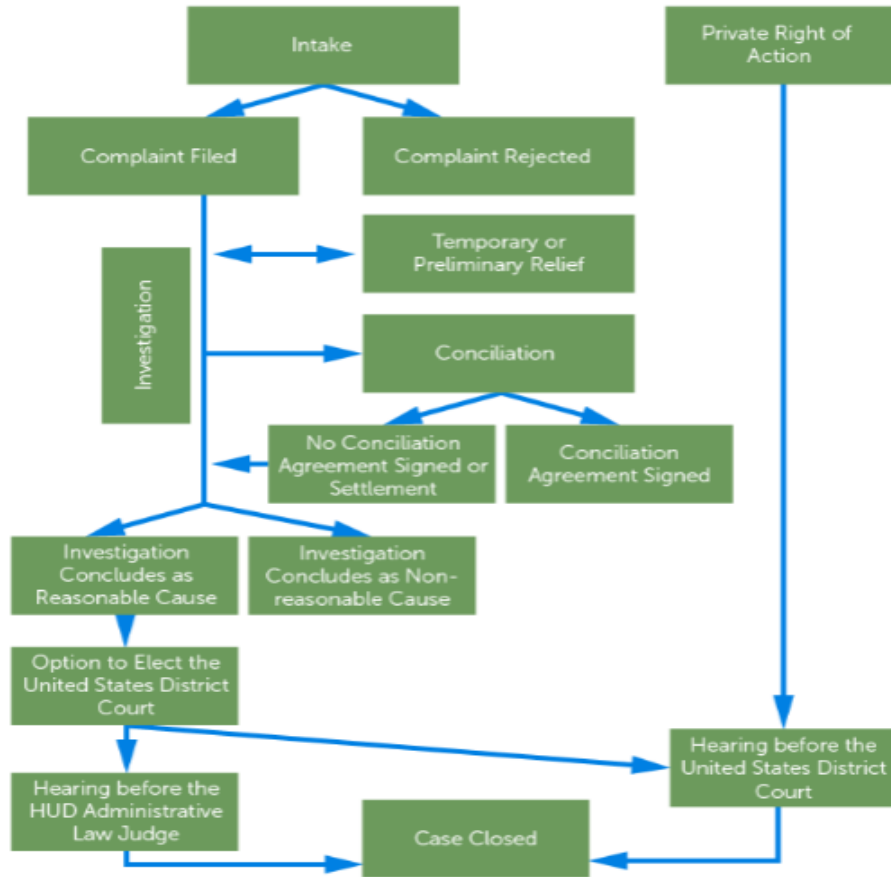
Religious organizations can show a preference for members of their religion if

- Not operated for profit
- Religion not limited by race, color, or gender
- No Exemptions if using a professional advertising agency
 - ✓ ex. Property management company



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Fair Housing Complaint Process



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How Tenfold can help with fair housing issues:

- 1. Provide information about your rights**
- 2. Assist with submitting a reasonable accommodation/ modification request**
- 3. Help to mediate a situation between a tenant and a landlord**
- 4. Assist with a fair housing complaint**



Housing Location

Tips and Tricks to finding housing



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Factors that Impact a Housing Application

- Previous rental history
- Credit report
- Criminal background
- Employment & income




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Things to Consider When Searching

- Location/ Neighborhood
- Type of home: House or apartment
- Roommates
- Size
 - Bedrooms, bathrooms
- Price
 - 30% of income
- Utilities: Gas, Electric, Water/Sewer/Trash
 - Kind of Heat: baseboard, radiator, forced heat
- Application Fee: before or after viewing
- Amenities: parking, washer/dryer, outside space, gas or electric stove
- When you want to move



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- **Who is moving in?**
 - Full names, age, and Social Security Numbers for everyone over 18
 - Names and age for any children
- **What is your income**
 - Gross monthly income
 - Include: Wages, SSD, SSI, Snap Benefits, Pensions
 - Have proof of this income: 2 recent pay stubs, award letters, etc
- **What is your credit score?**
 - Annualcreditreport.com
 - Not "free"annualcreditreport.com. Although it is free to pull your credit once a year.
- **Where have you lived in the past?**
 - Previous addresses and contact information on previous Landlords. 
Only add those that you are sure will give you a good reference.

Contacting Landlords

- Call from a quiet place so that you can hear the landlord and they can hear you
- Know when you can move
- Write down the name of the who you spoke to, their phone number, date of the call, in case you need to call back or schedule an appointment
- Keep track of who you called and when you called them
- Speak slightly louder/higher than you would normally speak
 - Why? You will sound more confident, sure, and trust-worthy.
- Be HONEST, if asked about your past but, DON'T over-share.
- Remember the Landlord & Tenant Relationship is a PARTNERSHIP, you are a paying for a service.
- Ask for the OPPORTUNITY, help the landlord understand that your past is where you've been, but not where you are or where you're going.





Understanding the Lease

The legal contract between the Landlord and the tenant that outlines the Rights and Responsibilities of both parties



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- **Rent:** It is the amount of money you are responsible to pay every month
- **Renter/Tenant/Lessee:** The person who occupies another person's property for a fixed amount of time
- **Landlord/Owner/Lessor/Property Manager:** Person you pay rent to, call about maintenance.
- **Lease:** An agreement or a binding contract between Landlord and Tenant
- **Fees:** Cover applications that are associated with credit and criminal history reports
- **Deposits/Security:** An amount of money required by the Landlord in case any damages occurs while you rent the unit- **(Security)** usually equal to 1 month rent

By looking at your lease you should be able to answer:

- Who is my landlord?
 - *Make sure the landlord or property manager's name, address, and telephone number is included in the lease. This will clarify who the tenant should contact in case of emergency.*
- When does the lease begin and end?
 - What happens at the end of the term?
- How much notification is required to terminate or renew my lease?
 - How do I terminate early?
- How much is my monthly rent?



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- When is my rent due?
 - When is it considered late
- Who should I make my rent check or money order out to?
- Where do I send my rent payment?
- Am I required to pay a late fee?
How much?
- Who is permitted to occupy the unit/who are the tenants?
- How much is the security deposit?
- Who is responsible for snow removal?

- Who is responsible for lawn care?
- What utilities am I responsible for paying?
- What utilities is my landlord responsible for paying?
- What appliances are included in the lease?
- Are pets allowed? What is the pet policy?
What is the pet deposit?
- Am I required to purchase renter's insurance?
- Is my landlord required to give me a notice to quit letter if they are filing for an eviction?
- Are there any additional provisions/requirements in my lease?
- Who do I contact for maintenance issues?



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Communication with Your Landlord

Maintenance and Reporting Issues



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Reporting Property Issues

- In life-threatening situations, get to safety first.
- It is important to report issues to the landlord. If it is something causing major damage, report immediately.
- If it is a minor repair, report during business hours
- Report using the established procedure.
- Document your request in writing and follow up.
- Allow a reasonable amount of time for repair.



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Implied Warranty of Habitability

Your landlord is required to provide a safe and livable apartment

This Includes:

- Electrical system
- Sewer
- Heat
 - Especially in the winter
- Safe drinking water
- The ability to secure your home
 - All doors and windows should be able to open, close, and lock
- Functioning smoke detector
 - And carbon monoxide (CO2) detector if there are gas utilities or stove



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Tenant Remedies

- Before taking any actions, notify the landlord in writing!
- Allow reasonable time to address the issue
- Potential Remedies*
 - Break the Lease Early
 - Repair & Deduct
 - Withhold Part of the Rent
 - Has the risk of Landlord filing for Eviction
 - Take Legal Action

*If you are unsure about the action that you are taking, contact an attorney

- Contact your local code enforcement office, if that is available in your municipality



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Eviction Process

It's a legal process



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Eviction Process

- Notice to Quit
 - Could be for failure to pay, a lease violation, or overstaying your lease
 - Range from 10-30 day notice depending on violation
 - Must be in writing, handed to tenant or put on the door
 - Not the actual eviction
- Filing the Landlord/Tenant Complaint
 - Landlord will file for eviction if reason for notice to quit is not fixed, or tenant remains in the unit.
- Notice of the Court Hearing
 - Magisterial District Court schedules a hearing and sends notice to both parties
- Court Hearing
 - **Go to Court Date**
 - Bring all documentation, (emails, texts, notices, pictures) that will help your case



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Eviction Process

- Judgement
 - Judge makes a decision
- Appeal
 - Tenant will have 10 days to appeal
- Order for Possession
 - Judge issues Order of Possession
 - Tenant has 10 days to leave the property
- Lock Out
 - Sheriff comes to enforce Order of Possession
 - Tenant may have only a few hours to leave the property
- Self-Help Eviction
 - Landlord attempts to evict the tenant without going through Judicial process
 - This is illegal
 - Call police and a lawyer if this happens



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Resources and Programs



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Emergency Rental Assistance Program

- **York County:** <https://www.yorkcpc.org/>
- **Lancaster County:** www.Lancasterhelp.rent
- Provides up to 12 months of assistance in rent and utilities
- Local organizations available to assist households who need help with completing the application



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CHI St. Joseph's Children's Hospital

- **Columbia Office – Healthy Columbia/St. John Neumann School for Children and Families**
[401 Locust Street,](#)
[Columbia, PA 17512](#)
- [844-836-8871](tel:844-836-8871)
- [717-684-0228](tel:717-684-0228)
- Columbia Office can assist with ERAP applications Call for an appointment
- Walk in Hours: Mon-Tues 9am-12pm, Thursday Evenings 3pm-6pm



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Community Rental Equity Fund

- Referral-based tenancy support program/Landlord Risk Mitigation program
- For clients with bad credit, reentry, past evictions, newly arrived Americans
- Landlords have access to inspections, communication support, and monetary compensation at move out
- Tenants have access to Housing Location program, support throughout tenancy, added assistance on application



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York Rental Stability Network

- Referral-based tenancy support program/Landlord Risk Mitigation program
- For clients with bad credit, reentry, past evictions, domestic violence victims, or another identifiable barrier to housing.
- Landlords have access to inspections, communication support, and monetary compensation at move out.
- Tenants have access to support throughout tenancy and added assistance on application.
- Additional services include mediated conversations and legal service referrals when appropriate.



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811 PRA program

- Complex based subsidized housing program
- Requires sign Memorandum of Understanding for agencies to refer
- Eligibility Requirements:
 - Age 18-61
 - HUD defined disability
 - Medicaid eligible
 - Long term supports and services eligible
 - 30% AMI or under



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Rental Advantage Course

- Eight-hour comprehensive course on how to be a good renter
- From gathering documents to dealing with Eviction
- Flexible schedule, two hours of at-home work
- Certificate at completion of course



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If you are from a different county/state...

HUD housing counseling agency search tool:

<https://apps.hud.gov/offices/hsg/sfh/hcc/hcs.cfm>

Fair Housing resources search tool:

https://www.hud.gov/program_offices/fair_housing_equal_opp/contact_fhip

ERAP search tool:

<https://home.treasury.gov/policy-issues/coronavirus/assistance-for-state-local-and-tribal-governments/emergency-rental-assistance-program/program-index>

Stay connected with us!



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GET HELP

GET INVOLVED

CONNECT WITH US



UNLOCKING OPPORTUNITY

Whether you're experiencing homelessness, need help budgeting, are considering homeownership, or are somewhere in between, our team is here to help you. We invite you to fill out this form. Our team will assess your request and get in touch with you.

REACH OUT TO US

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Questions?