



Fair Housing Act (FHA) Do's and Don'ts for Landlords

Under the Fair Housing Act (FHA), landlords must provide equal housing opportunities and avoid discriminatory practices. Below are key do's and don'ts to ensure compliance.

DO's:

Treat All Applicants Fairly – Offer the same terms and conditions to every applicant, regardless of race, color, national origin, religion, sex, disability, familial status, or sexual orientation.

Advertise Equally – Use neutral language in listings. Avoid wording that suggests preference or discouragement based on protected classes.

Apply Screening Criteria Uniformly – Use the same credit, rental, and background check requirements for all applicants.

Make Reasonable Accommodations – Adjust policies to accommodate persons with disabilities (e.g., allowing service and emotional support animals, providing designated parking spots).

Allow Emotional Support Animals (ESA) and Service Animals – Even in "no-pet" properties, ESAs and service animals must be permitted as a reasonable accommodation under FHA. No pet deposits or pet rent can be charged for these animals.

Consider Criminal History Fairly – When screening applicants with a felony record, consider the nature of the crime, how much time has passed, and evidence of rehabilitation. Blanket policies rejecting all applicants with a felony can be discriminatory.

Respond to Maintenance Requests Fairly – Ensure all tenants receive equal and timely maintenance services.

Document Everything – Keep detailed records of applications, communications, and lease decisions to protect against discrimination claims.

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DON'Ts:

Discriminate Against Protected Classes – Do not deny housing based on race, color, national origin, religion, sex, disability, familial status, or sexual orientation.

Ask Unlawful Questions – Avoid questions about a tenant's disability, marital status, number of children, or immigration status.

Charge Fees for Service or Emotional Support Animals – Unlike pets, ESAs and service animals cannot be subjected to pet deposits or pet rent.

Require Special Documentation for ESAs – Only a letter from a licensed healthcare provider is necessary. Additional certifications are not required.

Steer Tenants Toward or Away from Certain Properties – Do not influence a tenant's decision based on assumptions about a neighborhood's demographics.

Implement Blanket Felony Bans – Instead of rejecting all applicants with felony convictions, evaluate applicants on a case-by-case basis. HUD discourages automatic denials as they may have a discriminatory impact.

Retaliate Against Complaints – If a tenant files a fair housing complaint, do not evict or penalize them.

By following these guidelines, I/ We the landlords ensure compliance with Fair Housing laws and create an inclusive rental environment.

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