

# Inclusive Rental Practices and Affirmative Marketing

Fair housing laws are intended to create a climate in which individuals, who are otherwise qualified for a housing transaction, can obtain the housing of their choice. Sometimes, the manner or location in which a landlord or other housing provider places advertising or offers services or housing may seem to exclude some groups. For example, suggesting that housing may not be safe for small children would be seen as deterring families with children from renting. Similarly, you might be perceived as discriminating against people from other countries if you advertised that only people who speak English were encouraged to apply to rent your available housing. (The fair housing laws protect everyone, regardless of their citizenship or immigration status.)

Affirmative marketing is a term used to mean that you are proactively seeking out people from all races and ethnic backgrounds, families as well as singles, and people with disabilities as well as those without disabilities to make them aware of your available housing. In short, affirmatively marketing your rentals or services

demonstrates that you desire to increase the diversity of your client pool and are actively seeking out those folks who may be least likely to find out about your services through the ordinary means.

Affirmative marketing may include advertising rentals in ethnic or neighborhood newspapers as well as in the mainstream classified ads. It might also include translating your rental flyers and distributing them in ethnic grocery stores or posting rental housing notices at community organizations serving individuals with disabilities or families.

If your rental units have some accessible features, include that information in your advertising. Some people with disabilities may not need housing that is fully wheelchair accessible, they may need something with limited stairs, or lots of natural light, or a place where they can garden for therapeutic reasons, or many, many other options. Accessibility isn't a one-size fits all term. The features that make your housing units unique may be exactly the features that someone has been looking for to fit their disability-related needs.

In addition to advertising to affirmatively expand your pool of potential clients, having rules, policies and rental practices that are inclusive is also an important element of fair housing. For example, rules that are targeted specifically to children (e.g. kids can't be outside the apartment after dark) have been determined to be discriminatory. Also, a rule that stated one could not use specific ingredients in cooking (we have seen some that do not allow residents to cook with curry, or certain other spices) may have a discriminatory impact on some ethnic groups more so than others. When crafting rental policies, rules, screening criteria, etc., it is important to remember that anything you state which appears to discourage someone based upon the bases protected by the fair housing laws, could potentially result in a fair housing complaint against you. Landlord trade associations frequently sell forms which have already been reviewed to help you avoid discriminatory language.