

THE REALITY OF SEXUAL HARASSMENT IN HOUSING BY: SINDY GUZMAN

The Fair Housing Act and other federal laws prohibit sexual harassment. This topic has been on the rise in housing. Whether it be the owner themselves or the people they are employing. We wanted to shed some light on the specifics. There are two main types of sexual harassment: (1) quid pro quo sexual harassment; and (2) hostile environment sexual harassment.

Quid Pro Quo

Quid Pro Quo harassment occurs when a housing provider requires a person to submit to an unwanted request to engage in sexual conduct as a condition of obtaining or maintaining housing or housing related services. For example

- A landlord tells an applicant he/she won't rent them an apartment unless he/she has sex with him/her.
- A property manager evicts a tenant after he/she refuses to perform sexual acts.
- A maintenance person refuses to make repairs unless a tenant gives him/her nude photos of them self.

Hostile Environment

Hostile environment harassment occurs when a housing provider subjects a person to severe or pervasive unwelcome

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CHEERS TO 2019



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Happy New Year!!
May your year be filled
with new opportunities.

...



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Fair Housing Foundation
sends well wishes for a
prosperous new year

...



sexual conduct that interferes with the sale, rental, availability, or terms, conditions, or privileges of housing or housing-related services, including financing. For example:

- A landlord subjects a tenant to severe or pervasive unwelcome touching, kissing, or groping.
- A property manager makes severe or pervasive unwelcome, lewd comments about a tenant's body.
- A maintenance representative sends a tenant severe or pervasive unwelcome, sexually suggestive texts and/or enters his/her apartment without invitation or permission.

Both types of harassment are illegal and violate the Fair Housing Act, even if the victim ultimately submits to the unwanted sexual conduct.

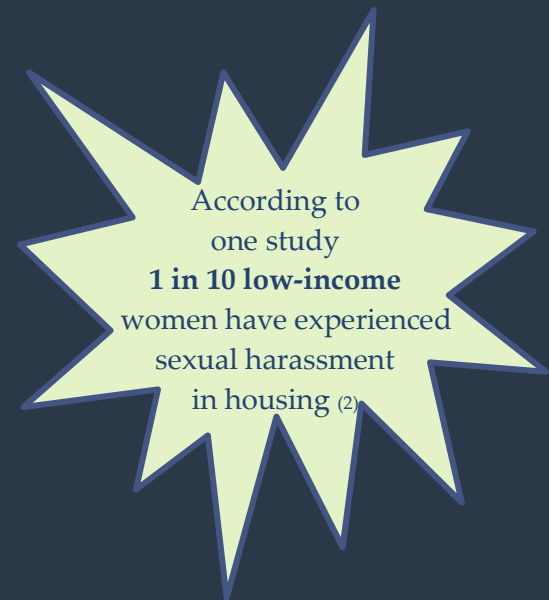
In October of 2017 The Justice Department launched an initiative to combat Sexual Harassment in Housing and it expanded nationwide in April 2018. The goal of the initiative is to address sexual harassment by landlords, property managers, maintenance workers, loan officer or other people who have control over housing.

The Justice Department reported a major increase in victim reporting and number of lawsuits file in the one-year anniversary of its initiative to combat sexual harassment. The Justice Department reported that 34 new sexual harassment matters were opened. This is more than any previous year and nearly five times the number of matters opened in the prior year. In addition, six- pattern-of-practice lawsuits were filed challenging alleged sexual harassment. This is more than the Department has

filed in any previous year.

(1).

(1)<https://www.justice.gov/opa/pr/justice-department-files-sexual-harassment-lawsuit-against-owners-oklahoma-city-rental>



(2)

<http://law.missouri.edu/news/2018/11/05/prof-oliveri-studies-sexual-harassment-low-income-women-housing/>

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FAIR HOUSING FOUNDATION'S SHINING STAR IS
A REMARKABLE COMMUNITY BASED ORGANIZATION
THAT IS CHANGING THE LIVES OF MANY
FAMILIES AND CHILDREN.

United Way

<https://www.unitedwayoc.org/>

~ 949-660-7600 ~



United Way OC has a vision of creating brighter futures for children and the community over the next 10 years. They plan to accomplish that impressive goal through education, assisting with financial stability, encouraging and supporting healthy choices and cutting the number of homeless children in half. United Way offers a plethora of programs that benefits many children and families across Orange County.

Programs include:

- ❖ Read Out Loud Program
- ❖ Little Free Library
- ❖ Destination Graduation
- ❖ Youth Career Connections
- ❖ TutorMate
- ❖ Sparkpoint OC
- ❖ UpSkill OC
- ❖ Free Tax Preparation
- ❖ Healthy Food Provision
- ❖ Healthy School Initiative
- ❖ Rapid Re-Housing

There are multiple ways you can donate to such a worthy cause. Find out more by visiting

<https://www.unitedwayoc.org/get-involved/>

You can:

- ✓ Start and Online Fundraiser
- ✓ Make a Planned Gift
- ✓ Shop to Give
- ✓ Donate a Vehicle
- ✓ Volunteer
- ✓ Advocate
- ✓ And MORE!

EXAMPLES OF OUR COMMITMENT TO FAIR HOUSING



Fair Housing Foundation makes a difference in the lives and homes of Landlords, Tenants, Managers, Realtors, Rental Home Seekers and Owners. These are their real-life experiences.

If you'd like to share your positive experience, please email receptionist@fhfca.org with the subject "*Testimonial*"

FHF & DFEH Join Forces to Strike Against Race Case!

The Fair Housing Foundation (FHF) was successful in reaching a settlement with a housing provider in Orange County. This particular complaint was filed for a housing discrimination based on race. When FHF was contacted, the tenant was alleging that the on-site manager was denying a housing opportunity to rent for any person that was not Asian. The tenant stated the on-site manager did not post a "for rent" sign when apartments became available to rent. The building consisted of 18 apartments and only 3 were occupied by Latino tenants. Almost all the remaining 15 tenants were Asian. In addition, the on-site manager treated Latino residents differently from the Asian tenants. Our survey illustrated that when the Latino tenants reported repairs needed in their apartment, they were blamed for causing the damages. It also took longer for repairs to be

made. However, when an Asian tenant requested repairs, the repairs were made in a timely manner, and they were not blamed for causing the damage(s). Along with the obvious preferential treatment based on race, the manager made several derogatory statements towards "Mexican's". FHF tried to engage with the owner regarding the allegations, but the owner did not want to participate in an educational conversation with FHF. Therefore, FHF was confident with the factual data gathered. The Case Analyst deemed the next best step was to forward it The Department of Fair Employment & Housing (DFEH). It was there that this race case was successfully settled through mediation with the DFEH's superb mediators and our Case Analyst's expertise.

Keeping Them Honest!

Fair Housing Foundation was contacted by a client who lived in the city of Garden Grove for over 2 years. She renewed her lease and it was set to expire February 1, 2019. A new owner purchased the property and served her a notice to terminate her tenancy on November 2, 2018. That notice was set to expire on December 31, 2018. I forwarded the new owner several letters regarding the improper termination of tenancy notice, the illegal entry text messages he had been forwarding to the tenant without a response. Once I sent him a letter letting him know that the tenant would be within her rights to sue in small claims court, he responded and stated he would allow them to live out the duration of the lease agreement.

However, even after agreeing to honor the lease, the new owner still attempted to force the tenant to move out by December 31, 2018. Via email correspondence I, again notified the new owner regarding a number of civil code violations. After reiterating the possible amounts the tenant could pursue legal action for, the owner advised me in writing that he would allow the tenant to live out the duration of the lease. Later, I received a call from the tenant stating that he had also told her he would abide by the terms and dates on the original lease and would allow her to live out the remaining time, ending in February 2019.

THE FAIR HOUSING FOUNDATION STAFF CAN ASSIST WITH QUESTIONS
REGARDING FAIR HOUSING AND/OR LANDLORD/TENANT RIGHTS
CALL US AT:

800-446-FAIR

562-989-1206 ~ 714-918-8001

Our Offices:

Long Beach: 3605 Long Beach Blvd., Suite 302. Long Beach, CA 90807

Anaheim: 2300 E. Katella Ave., Suite 405. Anaheim, CA 92806

www.fhfca.org

Follow us on:



AFFORDABLE HOUSING VS. SECTION 8 BY: ADRIENNE RAY

Clarifying some misconceptions.



What is affordable housing? It is a question that most people are unable to answer correctly. The easy answer to the question is: *housing that does not cost more than thirty percent of your family's monthly income*. Housing that is considered standard dictionary "affordable" cannot cost more than thirty percent of your monthly income. The other seventy percent of your income is supposed to be used for transportation, clothing, food and other necessities.

There are a number of different programs that offer affordable housing units. The amount of the income that a family has to pay can vary based on the type of affordable housing program. Depending on the type of funding an owner of the property receives, their guidelines for affordable housing units can vary. If an owner receives any federal funds to purchase or build a property or

receives tax incentives from federal housing programs, that owner must affirmatively further fair housing. That means the owner would have to set aside a certain number of affordable housing units. The link below will provide a list of affordable units <https://apps.hud.gov/apps/section8/step2.cf?state=CA%2CCalifornia>

The type of affordable unit can vary based on the area's median income. Area median income varies by housing market based varying living costs and income levels. For example, a family of two in Los Angeles County could qualify for low income housing as long as their income does not exceed \$23,250 per year. A family of two in Orange County could qualify for low income housing if their income does not exceed \$26,250. There are a number of other factors that

Regardless of whether a tenant lives in an affordable housing unit or has a Section 8 voucher, the purpose of both programs is to give the tenant the opportunity to live in safe and affordable housing in a non-discriminatory way.



ASK S.A.M

Three of our longest standing staff respond to *your* questions. To submit your question, please email receptionist@fhfca.org, with the subject “Dear S.A.M.”

Dear S.A.M.,

I currently live in a 2-bedroom with my wife and two children. My wife is expecting and is due in March. The manager told me that we'll have to apply for a 3-bedroom apartment within the complex, but the problem is we can't afford it. Can they ask us to leave if we don't apply?

~Worried and Restless {Long Beach, CA}

Dear Worried and Restless,

Often housing providers have occupancy standards that limits the number of occupants based on the size of the unit. For example, HUD's guidelines set standards that housing providers can use to determine the number of occupants allowed in that size dwelling. For example, two -plus-one additional person in the unit. Therefore, three people could live in a 1-bedroom unit. However, housing providers should not use any occupancy standards that has an effect of discriminating against families with children. The housing provider needs to apply this guideline across the board to any and all tenants to avoid a possible discrimination. To determine if the occupancy limit is reasonable can depend on several factor's such as home's size and configuration, the size of bedrooms,

physical limitations of the home, and other factors. You can contact your local fair housing agency for more information.

Dear S.A.M.,

I've been living in a hotel for about 2 years now. The manager asks me to move rooms pretty much every 28 days. It's inconvenient, but I really didn't think much of it, until someone recently told me that it was illegal for him to ask me to do that. Is that true?

~Constantly Packing {La Habra, CA}

Dear Constantly Packing,

This is a common question that I am asked. There is a misconception that a person who resides at any motel has the rights of tenant. That is not correct. There are specific guidelines that have to be met in order for a guest to be considered a tenant in a hotel/motel. You are considered a guest and not a tenant in a hotel/motel if any of the following situations are true.

- a. You live in a motel, hotel or other facility for 30 days or less and occupancy is subject to the hotel occupancy tax levied by the state.

- b. *You live in a motel, hotel or other facility for more than 30 days but have not paid for all the room and all related charges by the 30th day.*
- c. *You live in a hotel or motel and the manager has the right of access and all of the following specifications are true.*
 - i. *The hotel or motel allows for occupancy less than seven days*
 - ii. *All of the following services are provided for all residents*
 - 1. *A fireproof safe for the resident's use*
 - 2. *A central telephone service*
 - 3. *Maid, mail and room service*
 - 4. *Food service provided by food establishment that is on the hotel property or next to the hotel grounds and is operated in conjunction with the hotel.*

If a guest lives under any of the aforementioned conditions, the guest does not have the same rights and protections of a tenant and can be locked out without the housing provider following the eviction process.

However, if you reside in a residential hotel as your primary residence you have the protections of tenant in California and if a housing provider forcing you to check out every 28 days to prevent you from establishing tenancy, it would be a violation of California Civil Code 1940.

A residential hotel/motel means there are six or more guest rooms or efficiency units which are going to be the primary residence for that individual. A residential hotel/motel must provide a locking mail receptacle for each unit.

Dear S.A.M.,

I live in a complex that has a lot of condos, all utilities included. But I personally don't use the cable option. I have an older TV and it has the basic channels. I have no interest in getting cable, so I don't think I should have to pay for it. Since I don't use it, is it fair for them ask me to do so?

~Simple but Happy {Irvine, CA}

Dear Simple but Happy,

Whether or not the HOA has the right to require you to pay for these services depends on what the CC& R's states in that regard. Condo fees may cover utilities such as water, sewer, and trash. Some buildings even include heat, electricity, cable, and Wi-Fi. I would encourage you to review them.



**"Alone we can do so little.
Together we can do so
much."**

-Helen Keller

UPCOMING TRAININGS



- ❖ **Tuesday, 1/8/19-
Certificate Management
Training @ 1pm-5pm**
353 w. Commonwealth
Ave. Fullerton, Ca 92832
- ❖ **Thursday, 1/10/19-
Certificate Management
Training @ 12pm-4pm**
Norman P. Murray
Community Center
24932 Veterans Way.
Mission Viejo, Ca 92692
- ❖ **Wednesday 1/16/19-
Certificate Management
Training @ 12pm-4pm**
Neighborhood Resource
Center
100 W. Broadway #550
Long Beach, Ca 90802
- ❖ **Thursday 1/17/19
Certificate Management
Training @ 1pm-5pm**
Orange City Hall
300 E. Chapman Ave.
Orange, Ca 92866
- ❖ **Tuesday, 1/22/19-
Landlord Workshop @
2pm-4pm**
Huntington Beach
Central Library
7111 Talbert Ave.
Huntington Beach, Ca
92648
- ❖ **Thursday, 1/24/19
Certificate Management
Training @ 12pm-4pm**
Irvine City Hall
1 Civic Center Plaza
Irvine, Ca 92606
- ❖ **Monday, 2/4/19
Walk-In Clinic @
10am-12pm**
Huntington Beach
City Hall
2000 Main St
Huntington Beach, Ca
92648
- ❖ **Monday, 2/4/19
Landlord Workshop @
2pm-4pm**
Nakaoka Community Ctr
1670 W. 162nd St.
Gardena, Ca 90247
- ❖ **Tuesday, 2/5/19-
Tenant Workshop @
2pm-4pm**
Tustin Library
345 E. Main St.
Tustin, Ca 92780
- ❖ **Wednesday, 2/6/19-
Tenant Workshop @
3pm-5pm**
Progress Park West
15500 Downey Ave.
Paramount, Ca 90723
- ❖ **Thursday, 2/7/19-
Certificate Management
Training @ 12pm-4pm**
Salt Lake Park Rec Ctr
3401 E. Florence Ave.
Huntington Park, Ca
90255
- ❖ **Monday, 2/11/19
Certificate Management
Training @ 12pm-4pm**
1975 Balearic Dr.
Cost Mesa, Ca 92626
- ❖ **Tuesday, 2/12/19
Tenant Workshop @
2pm-4pm**
Westminster City Hall
8200 Westminster Blvd.
Westminster, CA 92683
- ❖ **Wednesday, 2/13/19
Landlord Workshop @
2pm-4pm**
Huntington Beach
City Hall
2000 Main St
Huntington Beach, CA
92648
- ❖ **Thursday 2/14/19-
Walk-In Clinic @
10am-12pm**
Irvine City Hall RmL104
1 Civic Center Dr.
Irvine, CA 92606
- ❖ **Thursday, 2/14/19
Landlord Workshop @
2pm-4pm**
Newport Beach City Hall
100 Civic Center Dr.
Newport Beach, Ca 92660
- ❖ **Tuesday, 2/19/19
Tenant Workshop @
3pm-5pm**
Fullerton Library
353 W. Commonwealth
Ave. Fullerton, Ca 92832

If you would like
more information on any
event, please call
(800) 446-3247, ext. 1111 or
visit our [calendar](http://www.fhfca.org) at
www.fhfca.org
***Space is limited,
please RSVP***

EDUCATION & OUTREACH SPOTLIGHT

The Volunteer Income Tax Assistance (VITA) Program



GET YOUR TAXES DONE
FOR FREE

Orange County

If your household income was less than \$60,000 in 2018, you may be eligible to file your taxes for free! You may also qualify for cash-back tax credits.

Just 2 easy steps:

1. File your own taxes at MyFreeTaxes.com
2. OR Schedule an appointment at a free tax preparation site. Call one of the location listed on this link:
<https://www.ocfreetaxprep.com/wp-content/uploads/2018/12/community-flyer-reversed.pdf>

Los Angeles County

Why pay to file your taxes, when you can file for free with an IRS-certified tax preparer? If you made less than \$54,000 in 2018, you may qualify for cash-back tax credits- but only if you file! All you need to do is call and make an appointment at one of the locations in the link:

<https://freetaxprep.unitedwayla.org/en/find-help/>





I THINK
YOU ARE
THE ONE
THEY ARE
LOOKING FOR!



Make their tomorrow a better one!

Become a Fair Housing Tester & collect data that will make a difference.

We work with ALL types of schedules.

No cold calls. Training provided. Modest stipend

We Need People of:

- ❖ All Ages
- ❖ All Races
- ❖ All Ethnicities
- ❖ All Disabilities
- ❖ All Genders
- ❖ All Orientations

Bilingual in any
language is a PLUS!

Are we looking for you?

1. Speak, Read and Write English Fluently.
2. Be over 18 years of age.
3. No arrests within the last 10 years.
4. Attend and Pass the Training.
5. Have Reliable Transportation & Car Insurance.

For more information
on

becoming a tester,
please contact Cindy

Guzman at

sguzman@fhfca.org



“Volunteers do not necessarily
have the time; they just have
the heart.”

~ Elizabeth Andrew

