

THE FAIR HOUSING TIMES

VOLUME XVII

FAIR HOUSING FOUNDATION

OCT-DEC 2021

COVID VACCINES & FAIR HOUSING

BY: SINDY GUZMAN

As COVID-19 vaccination rates increase, so do vaccination-related concerns for landlords. Landlords face pressure to provide a COVID-19 free environment through vaccinations and other measures, while also facing resistance to vaccinations and other COVID-19 prevention policies. Landlords are faced with trying to balance these pressures by developing new policies that both serve residents and complies with the law.

In renting and housing related activities, the Fair Housing Act (FHA) prohibits: 1) discrimination based on protected factors of race, color, national origin, religion, sex, familial status or disability, 2) refusing to make rea-

sonable accommodations for persons with disabilities seeking housing, and 3) some inquiries regarding disability. Under the Fair Housing Act a reasonable accommodation is a change, exception, or adjustment to a rule, policy, practice, or service. The Fair Housing Act makes it unlawful to refuse to make reasonable accommodations to rules, policies, practices, or services when such accommodations may be necessary to afford persons with disabilities an equal

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HAPPY FALL YA'LL



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May the autumn season bring you endless warmth & happiness!

...



...

Fair Housing Foundation sends happy fall wishes!

...



opportunity to use and enjoy a dwelling and public and common use areas.

Although COVID-19 vaccination status is not a protected class and lack of COVID-19 vaccination is not a disability, a landlord might accidentally engage in FHA prohibited behavior while making rental decisions based on COVID-19 vaccination. For example, a landlord might incur FHA liability by making a decision based on an assumption that a prospective resident has COVID-19 immunity or is

not COVID-19 vaccinated because of their national origin, religion, or other protected factor. Since it is a new topic that even employers are having to face, we advise that it is always good rule of thumb to ensure any policies or procedures you have in place are applicable to everyone you have or will rent to. If you are still unsure, please call Fair Housing Foundation so our fair housing department can answer any questions.

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800-446-3247

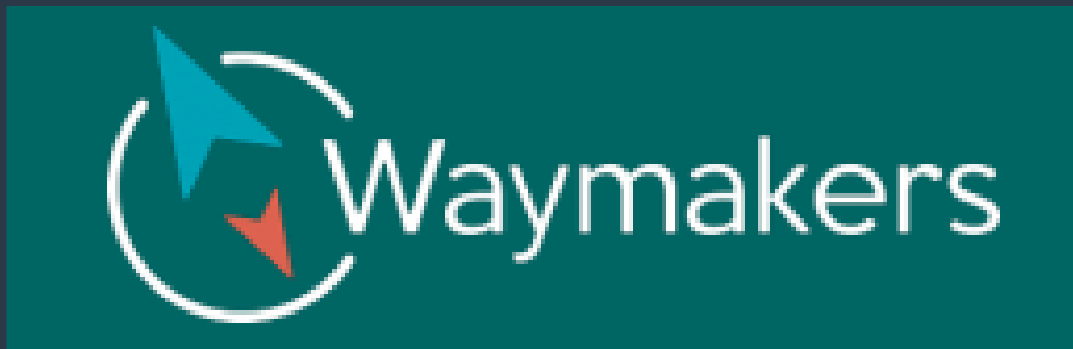
info@fhfca.org

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

Waymakers

<https://waymakersoc.org/>

(949) 250-0488



Congratulations to Waymakers for having a successful event during their Back-to-School Parent Workshop! They were able to provide resources including backpacks to many of the families within the community and brought smiles to the faces of young scholars.

Waymakers is a nonprofit resource building safer communities by helping people find their way. Whether redirecting youth offenders, helping sheltered children get back on track, unifying troubled families, resolving community conflicts or empowering victims of violence, Waymakers clears the path so clients can advance beyond crisis. Below are some of the amazing things they are doing:

- Sheltering Children
- Supporting Victims
- Counseling Families
- Resolving Conflicts
- Educating Communities

SERVING ORANGE COUNTY

1221 E. Dyer Rd. Suite 120

Santa Ana, CA 92705

Looking to Donate, click here:

<https://waymakersoc.org/donate/>

Looking to Volunteer, click here:

<https://waymakersoc.org/volunteer/>

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 would like to share your positive experience, please email info@fhfca.org with the subject "Testimonial"

A Very Compassionate Owner

The Fair Housing Foundation (FHF) assisted a client in the city of Huntington Beach, CA with a reasonable accommodation request. The client is a disabled male with an Emotional Support Animal (ESA). The client initially contacted FHF for assistance because the client had received a letter (final demand) from a law firm representing the owner. The letter requested that the client remove the ESA from the apartment due to repeated violations. The client said that ever since he received the letter from the attorney and the thought of having to get rid of his ESA dog has exacerbated his anxiety and depression. Furthermore, client

had no other option than to house his ESA elsewhere temporarily to avoid an eviction. FHF reached out to the attorney representing the owner and asked if owner can provide client with an opportunity to rectify the matter and even if it consists of a probation period as a reasonable accommodation request on behalf of the client. FHF received a letter from the owner's attorney agreeing to give client one additional opportunity as long as the client adhere to the Service Animal Agreement Addendum. The client was very grateful for a second chance and said that he has every intention of staying in line with the rules.

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

Phone: 800-446-FAIR

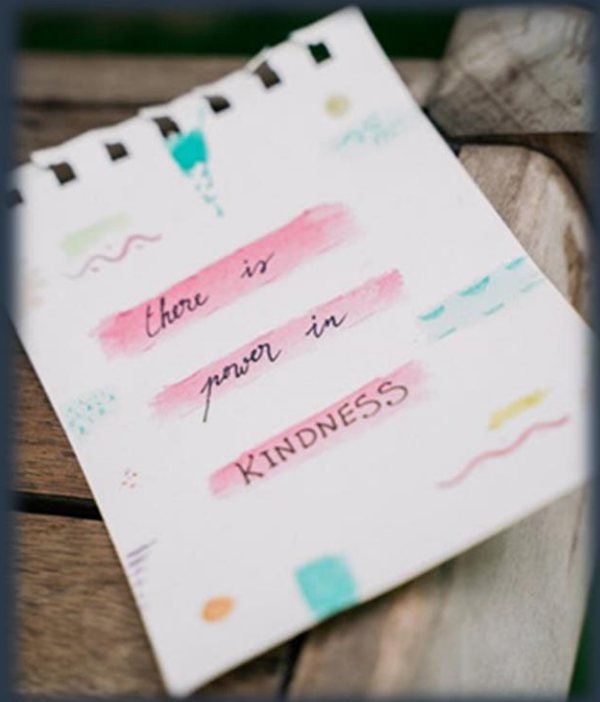
www.fhfca.org

info@fhfca.org

A Little Kindness Goes A Long Way!

FHF assisted a client with a reasonable accommodation request. The client is a single mother with 3 minor children, one being disabled. The client occupied a one-bedroom apartment for a family of 4. The client lived in a moderate-income program unit and no longer qualified for a one-bedroom due to the family size. The client was offered to apply for a two-bedroom apartment but because of the client's credit score, the client unfortunately did not qualify for a two-bedroom apartment and was denied. The client was served with a Notice of Non-Renewal of Lease. The client was expected to move at the end of the lease term that was June 28, 2021. However, due to client's daughter's disability she needed to move into an apartment that was accessible to her daughter's medical related needs. Shortly after, her notice expired, and she requested

an extension. The client was initially granted a 30-Day extension. However, client was still facing a challenge locating an accessible apartment for her daughter. The client once again reached out to the leasing office and was denied an additional extension. That is when the client contacted FHF seeking assistance with a reasonable accommodation request. The client did not want to face an eviction because client was unable to locate an accessible apartment for her disabled daughter. FHF assisted the client by making a reasonable accommodation request on client's behalf for an additional extension of tenancy due to the medical related need. FHF was successful in obtaining an additional 30-day extension in order for client to find an accessible apartment for her disabled daughter.



SENATE BILL 1157-WHAT THERE IS TO KNOW

BY: ELIZABETH CASTRO



The world feels like it's changing a little quicker every day and it is hard to keep up. So let us talk about one of the recent changes in housing. Senate Bill 1157 is a bill that was passed in September 2020 but took effect July 1, 2021. Senate Bill 1157 (SB1157) is supposed to remain in effect until July 1, 2025. SB1157 would require housing providers of an affordable housing to report their tenants rent to at least one of the tenant's credit bureaus, should the tenant make the request. The housing provider would be responsible to let the tenant know of this new option in writing by October 1, 2021. You can find the form here https://www.aoausa.com/forms_member/1157%20-%20Notice%20of%20Rent%20Reporting%20to%20Credit%20Agency.pdf. Even if you miss the deadline, it would still be good practice to send it to any applicable tenants. According to SB1157 applicable housing providers are to provide information about rent reporting and how to opt-in at the time of lease agreement and then at least once per

year (the bill has some stipulations on how landlords should do this, what information must be provided, and when they can accept an opt-in from new tenants) (1).

The bill allows a tenant to decide if they want to request the service from the housing provider. Should the tenant decide to participate, the housing provider is allowed to charge the lesser of \$10 per month or the actual cost of the landlord to provide service. At any point the tenant decides to no longer want it reported for any reason, they just need to notify the housing provider in writing requesting the change. However, it is important to know that if the tenant decides to terminate this service, the tenant cannot request for their rent to be reported again for 6 months. We would encourage to keep copies of any correspondence exchanged.

Now, there are always exceptions to any rule and with SB1157, it exempts a housing provider of an affordable housing complex

with 15 fewer dwellings (2). The only other time this could differ is if the housing provider owns two or more assisted housing and is REIT, a corporation or LLC and if they are, the number of units no longer matters (3). SB1157 is a first of its kind and California is the first to implement it. Leaving many to wonder what the purpose is. For the authors of the bill, Steve Bradford (District 35) and Ben Hueso (District 40) they believe this is the perfect opportunity for very low to low-income households to report their good payment history. In theory, if one could report their rent, like others can their mortgages, credit card payments, etc; it would increase their credit score. Ultimately resulting in many other opportunities, including car loans, better interest rates, becoming more credit visible and possibly even purchasing a home. Keeping everyone informed of their rights and options is our mission. Thus, if you have any questions about how SB1157 impacts you or your tenants, please call Fair Housing Foundation to learn more.

- (1) <https://cbatraininginstitute.org/sb1157/>
- (2) https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=201920200SB1157
- (3) <https://www.rentreportingcenter.org/california-rent-reporting-bill-sb1157/>

A REMINDER OF OUR NEW ORANGE COUNTY OFFICE

we've moved

**PLEASE UPDATE YOUR RECORDS
WITH OUR NEW ORANGE COUNTY
OFFICE ADDRESS**

1855 W. Katella Ave. #355
Orange, CA 92867



LEARN MORE ABOUT YOUR RIGHTS BY ATTENDING
ONE OF OUR VIRTUAL WORKSHOPS OR WALK-IN CLINICS.
PLEASE RSVP [HERE](#)



Fair Housing Workshops

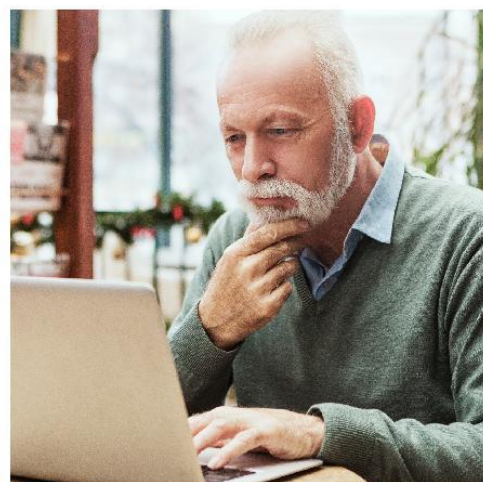
Learn from one of our Housing Counselors about your rights and responsibilities to fair housing, updated Federal/State Laws, and have an opportunity to ask any questions about fair housing. Workshops available weekly, in-person and via Zoom.

RSVP: www.fhfca.org/events

Virtual Rental Counseling Workshops

Current and future renters encouraged to register and learn about tenant rights, protecting yourself from eviction and housing loss, finding affordable housing, and much more.

RSVP: www.fhfca.org/events



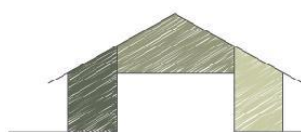
Tester Training

The Fair Housing Foundation is looking for volunteers who want to make a difference in their community and who want to help us fight housing discrimination. Modest stipend available.

Contact Sindy Guzman for more info:
800-446-3247 Ex. 1102
sguzman@fhfca.org



www.fhfca.org
1(800) 446-3247
TTY (800) 855-7100



**FAIR HOUSING
FOUNDATION**

Fair Housing Opening Doors



ASK S.A.M

Let our staff respond to your questions. To submit your question, please email info@fhfca.org, with the subject "Dear S.A.M."

Dear S.A.M.,

The owner where I live is insisting that he needs to do an inspection. I have lived here 3 years and he's never done one before. Can he just change things like that? Even with COVID? Please let me know what I can do.

~ Confused & Worried {Bellflower, Ca}

Dear Confused & Worried,

The property owner is within their rights to enter the property and have an inspection done. However, the owner needs to provide a 24-hour written notice in advance before entering the property. If there is a medical related need, and you as the tenant are within your rights to ask for reasonable accommodation, such as more time or ask for the specific time of visitation. Our office would be able to assist with the request, we would just ensure we have the necessary medical documents. If the owner were to choose to add inspections on the rental agreement, then he would need to issue a 30-Day

Notice of Change of Terms on the rental agreement or an addendum on the lease once it lapses.

Dear S.A.M,

I bought this property through a foreclosure sale back in July 2020. The owner was a sibling of the current tenant. The tenants have never paid them rent while they've lived there for 5 years. Now they don't want to pay me anything and have been using the declarations of hardship since I bought it back in July 2020. What can I do?

~ On The Verge {Costa Mesa, Ca}

Dear On The Verge,

You should inform the tenants in writing that you are the new owner and, as such you will be collecting the rent from them. You may want to prepare a rental agreement for them to sign as your tenants. If your tenants fail to pay the rent, serve the tenants with a 15-Day Notice to Pay or Move

out and attach the Declaration of Financial Hardship due to COVID-19 which requires that they sign under penalty of perjury, with a promise to pay 25% by September 30, 2021 and negotiate payment of the back due rent. The 15-Day Notice should include a Declaration of Financial Hardship due to COVID-19; this Declaration has information for the tenant to call and request rental assistance from the Rental Assistance Program to cover the months that they owe. Once the application is filed by your tenant, they will contact you to verify the information and you will be receiving 100% of the rent owed by tenant.

If the Tenant fails to sign the Declaration, you can then sue the tenant for non-payment of rent for the amounts owed in Small Claims Court. If your tenant continues to fail to pay rent, you may want to contact an attorney and proceed in court with an eviction for non-payment of rent and file an Unlawful Detainer or contact the Self-Help Center at the court if you want to pursue the eviction representing yourself. Best of luck!

Dear S.A.M..

I have a resident who's lived at this property longer than I have been a manager, which is about 6 years. She's been having issues with a neighbor about nuisance and such. However, I've investigated her complaints and don't see what she's talking about. I'm not saying she's lying, but I don't see what she sees. She's threatened to go to my boss for not doing my job. How should I move forward?

~ Just Trying To Do My Job {Long Beach, CA}

Dear Just Trying To Do My Job,

As the new manager and representative of the landlord it is your responsibility under CA CC Section 1927 to provide your tenant with the right to peaceful and quiet enjoyment of the premises she rents. The tenant is entitled to the ordinary pleasures of not being disturbed unreasonably. California law gives tenants the right to quiet enjoyment of their premises so long as they are not violating local laws or the lease. You could try to resolve the matter by setting up a meeting to mediate and discuss the issues with both tenants and try to help them with settling their differences. If you have an apartment that is available away from the neighbor that your tenant is complaining about, you could consider offering the tenant to move to that apartment. Investigating the complaint is a great start and I would suggest keeping all correspondence in writing to show that you are addressing the matter and trying to find a solution to the problem she's alleging. Also, take into account if you have received any other noise or nuisance complaint about this same tenant. Ultimately it may be something you bring up to your boss anyways to try and game plan a solution.

The Ask S.A.M section is for educational purposes only and does not constitute as legal advice. If you have a legal question, please contact your local Legal Aid or an attorney of your choice.



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!

All you need to do is:

1. Speak, Read and Write English Fluently.
2. Be over 18 years of age.
3. Have 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 are not paid, not
because they are worthless but
because they are priceless”
~ **Sherry Anderson**

