

Looking for a few good tenants?

If you own or manage residential property, the information in this brochure will help you find and keep good tenants and avoid breaking the law!

Many people think they can figure out who will make a good tenant simply by looking at someone. **THIS IS VERY RARELY TRUE.**

Good tenants come in all sizes, shapes and colors... and may be very different from you.

If you make assumptions about people, you may lose potentially good tenants and get in trouble for violating fair housing laws.

This brochure will give you some tips about how to get good tenants and how to protect yourself against possible discrimination complaints and lawsuits.

The most important thing is to treat everyone fairly and equally—something we all want to do anyway. Treating people fairly is not only the right thing to do, it's good business.

HOME's Mission:

"Ensuring equal access to housing for all people"

To whom does this apply?

Anyone who owns and rents out more than three single family houses

Anyone who owns a building with at least four units (and doesn't live in the building)

Anyone who uses the services of a licensed real estate agent

Anyone who expresses a preference for a tenant on the basis of their membership in a protected class

Everyone — when it comes to race.

It is illegal no matter who you are or how much or how little property you own to discriminate in housing on the basis of race.

Information from HOME is not intended to be legal advice. Please consult an attorney for legal advice.

Alternative formats for those with disabilities available upon request.



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Housing Opportunities Made Equal

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HOW TO FIND GOOD TENANTS

USEFUL TIPS FOR LANDLORDS AND PROPERTY MANAGERS

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HOUSING OPPORTUNITIES MADE
EQUAL OF VIRGINIA, INC.

HOW CAN YOU TELL IF SOMEONE WILL BE A GOOD TENANT?

Good landlords typically want to know three things about potential tenants:

- **Will they pay the rent?**
- **Will they take care of the unit?**
- **Will they be a good neighbor?**



Remember— you can't tell the answers to these questions just by looking at someone, and making assumptions may violate laws. You need to set your own clear standards for what you want in a tenant, and then follow the same procedures for everyone.

Sufficient income:

Decide on a rent to income ratio (like a monthly income three times the rent) and stick to it. Income may be from employment, Social Security, VA benefits, child support or any other dependable, regular source. You have the right to require someone to document that the income comes in regularly, but you should not require that it come from a job. Please note that housing assistance may allow someone to pay rent without sufficient income.

Do they pay their bills?

You may want to pull credit reports. If you do, pull them for every applicant and have clear standards about what you are looking for ("good credit" doesn't mean anything by itself). You may require nothing on the credit report below a certain score or you may only care that there are no bad ratings or actions for previous rental properties. You may want to ignore medical bills. Write your standards down, stick to them and apply to everyone.

Previous rental history:

You may be able to get information from previous landlords. If you call for rental references, do it for everyone. Decide what will be an acceptable reference, such as no more than three late pays in a year or no complaints about noise.

WHAT IF AN APPLICANT OR A TENANT HAS A DISABILITY?

There are legal protections in place for people with disabilities.

What kinds of disabilities are included?

All kinds— mental, physical and emotional. Examples are being visually or hearing impaired, having a mobility impairment or a mental illness, being developmentally disabled or having AIDS. Alcoholism is considered a disability, as is being a recovering drug addict, but current use of a controlled substance is not covered. You may not ask about a disability unless you need to qualify someone for a particular program that is for people with disabilities.

People with disabilities are expected to meet the same standards of tenancy as anyone else.

They must keep up the unit, pay the rent on time, and be good neighbors. You may need to make some



adjustments in your normal policies or procedures to make this possible when needed through requests for reasonable accommodations and modifications.

What does a landlord or property manager have to do for someone with a disability?

The fair housing laws require you to make "reasonable accommodations" in your policies or procedures if needed by someone with a disability. For example, if you don't allow dogs, you would still need to let a visually impaired person have a service animal as an accommodation in a no pets policy.

Can someone make actual changes to a unit if they have a disability?

Yes, physical modifications must be permitted within certain limits. If you do not get a federal subsidy for the unit, the tenant is responsible for paying for the changes. If there is federal money involved, you may have to pay. Reasonable modifications might include ramps, grab bars or other changes that allow someone with a disability to fully use and enjoy their dwelling.

WHAT NOT TO LOOK AT:

The following characteristics should NEVER be considered in making any kind of rental decision, from whether to rent to someone, to what property you will make available to them:

Race (any race)

Color (any color)

Religion (any religion or no religion)

National Origin (any nationality)

Gender (sex)

Familial Status (presence of children under 18 in the family or pregnant women or adults attempting to secure custody of children)

Disability (handicap)

Elderliness (55 years or older, covered under Virginia state law only)



In fair housing laws, these categories are called "protected classes"— and everyone is protected.

It is also a violation of the law to express a preference for anyone on the basis of their membership in a protected class. So, in advertising an apartment or house for rent, you can't say "Adults Only" (which would exclude families with children) or "Christian gentleman preferred" (which would exclude members of other religions and women).

Occupancy standards: It is okay to establish reasonable occupancy standards limiting the number of people who can live in a unit—but the effect of the standards cannot be in place to make it hard for families with children to



live there. Reasonable is generally interpreted as allowing at least two people per bedroom, regardless of the age or sex of the occupants.