



# Owner News

Metropolitan Boston Housing Partnership • 125 Lincoln Street • Boston, MA 02111 • (617) 859-0400 • www.mbhp.org

SPRING 2008

## MBHP Welcomes New Fair Housing Manager

**B**arbara Chandler is MBHP's new Fair Housing Manager. She began her role in January. Barbara's background combines fair housing, civil rights, and human services. For the last 10 years year, she has provided fair housing technical assistance to housing providers, developers, architects, and tenants. Her most recent position was as Director for the Fair Housing Accessibility FIRST Design and Construction Center, a national technical assistance program funded by the U.S. Department of Housing and Urban Development. Prior to that, she was the Policy Analyst for the City of Boston Office of Civil Rights.

Executive director Chris Norris says that Barbara Chandler will enable property owners and tenants to more effectively reach their goals. "It became apparent at MBHP that many property owners and tenants do not know their rights and responsibilities under the state and federal fair housing laws," says Norris. "In creating this position, MBHP is providing a proactive service for property owners through education, training, and technical assistance on all aspects of fair housing."

Barbara Chandler notes, "I plan to work closely with property owners so that they can understand how the Fair Housing Act (FHA) benefits them."



## A Q&A with Barbara Chandler

**Q:** *The federal Fair Housing Act is celebrating its 40th anniversary this month. It prohibits discrimination in housing on the basis of race, color, religion, national origin, gender, disability, and familial status. What are the most important things about FHA that property owners should know? What are the most commonly misunderstood aspects of the Act?*

**A:** Property owners should understand that the FHA is not written to be a punitive measure, but rather seeks to prevent illegal discriminatory activity by specifying both rights and responsibilities. The FHA should be used as a guide to establishing good property owner-tenant practices. Following the FHA can eliminate well intended but misguided property management practices and enhance good tenancy.

The FHA has been most misunderstood when it comes to tenant selection criteria. Too many property owners misinterpret the Act to mean that they must rent to anyone who is a protected class member—and that's not the case. Prospective tenants must still meet the standard eligibility criteria that the property owner applies to all applicants and in the same manner. Prospective tenants must be able to demonstrate that they are able to pay the rent, regardless of whether they are in a protected class. Acceptable credit standards can be required as well as good references. Another misunderstood concept of the FHA is that it only applies to tenant selection. The FHA applies to every stage of tenancy from selection, ongoing provisions of services, applied terms and conditions, as well as termination of tenancy.

**Q:** *What is your "in a nutshell" advice for property owners regarding fair housing?*

**A:** The best thing that any property owner can do is to become educated about not only the federal Fair Housing Act but the provisions of the state fair housing law, Chapter 151B. Understanding one's obligations before one acts is the best preventive of a negative fair housing experience.

### Fair Housing & Tenant Selection Workshop

**Presented by Barbara Chandler**

April 15, 6:00 – 8:00 pm at MBHP  
125 Lincoln St., 5th Floor, Boston

*\$5 Parking in the Beach Street  
Garage is available after 5:00 pm*

To attend, RSVP to Jennifer Shaw  
at [jennifer.shaw@mbhp.org](mailto:jennifer.shaw@mbhp.org)  
or 617-425-6637

## SAVE THE DATE!

SATURDAY, JUNE 7

10:00 a.m. – 2:00 p.m.

### MBHP'S 3RD ANNUAL

#### Property Owner Resource Fair

With representatives from the City of Boston's Department of Neighborhood Development and the Public Health Commission, and the Mediation for Results Program. Information and resources will be provided on home rehab, de-leading, pest control, property owner/tenant law, communicating effectively with tenants, and much more!

*Prizes, refreshments and free parking will be provided.*

## Did You Know that April is National Fair Housing Month?

The federal Fair Housing Act was passed on April 11, 1968. Since then, celebrating the month of April as Fair Housing Month has evolved into a tradition involving property owners, government officials, and others who want to reaffirm their commitment to America's policy of fair housing.

## Looking For a Contractor?

Check out Angies List at [www.angieslist.com](http://www.angieslist.com)

Home service companies reviewed and rated by real homeowners!



## MBHP Apartment Listing Guidelines

MBHP offers property owners a free apartment listing service via our website [www.mbhp.org](http://www.mbhp.org). Due to the high volume of listings we receive each day, we ask property owners who use this service to comply with the following guidelines:

1. Please only list your vacant unit through our online listing form. MBHP will no longer be able to accept paper apartment listing forms. Do not send, fax, or drop off paper forms.
2. Please only list your vacant unit once. Duplicate entries only make it more difficult for us to process listing requests and for tenants to search for units.
3. Please remember that many of the tenants searching for housing using this list are low- to moderate-income. If you are asking for rent that significantly exceeds our established rent ranges, we will not be able to list your unit.
4. Complete all required fields on the listing. If limited information is provided on your listing, we will not be able to post it. Please review your listing for accuracy, and do not leave blank fields on the form.
5. Please be aware that we currently have approximately 300 vacant units on this list so, in order to make your unit more marketable,

we encourage you to describe the amenities and special features contained in your unit.

6. We do not conduct tenant screening of MBHP rental assistance participants. We encourage you to establish a formal tenant selection process and screen all potential tenants. For tips on the tenant selection process, go to [www.mbhp.org](http://www.mbhp.org) and follow the prompts under "Programs" and then "Property Owner Programs" at the top of the home page.
7. Additional information on the inspections and rent determination process, property owner/tenant rights, foreclosure prevention, and more is available under the "resources" tab at [www.mbhp.org](http://www.mbhp.org).
8. Offer housing that is truly fair. Statements like "Section 8 Welcome" are not necessary. Many of the tenants we work with do not have subsidies; any indication of a preference for a Section 8 voucher holder is considered discriminatory and illegal.
9. With regard to lead paint: while you may list your unit even if you do not have an LOC (letter of lead compliance), it is illegal to require all household members to be over the age of 6. For more information on fair housing law go to [www.bostonfairhousing.org/housing\\_rights.htm](http://www.bostonfairhousing.org/housing_rights.htm).

## ASK MBHP

**Q:** Can I charge a late fee if my tenant doesn't pay their rent on time?

**A:** It depends. A property owner cannot charge a late fee if:

1. You and your tenant don't have a lease,<sup>1</sup> or
2. You and your tenant have a lease, but that lease does not have a late fee clause.<sup>2</sup>

In either situation, it is illegal to demand a late fee.

If, on the other hand, you have a lease and the lease has a late fee clause, you can collect a late fee, but not until the rent is more than 30 days overdue (even if the lease defines "late" as any time after the 5th of the month).<sup>3</sup>

<sup>1</sup> M.G.L. c. 186 § 15B(1)(c).

<sup>2</sup> M.G.L. c. 186 § 15B(1)(c).

<sup>3</sup> *Patriquin v. Atamian, SP-19648-K* (Aug. 27, 1981).