

FAIR HOUSING AGENCIES OF WASHINGTON STATE

SAMPLE POLICY

The fair housing agencies of Washington State would like to partner with you in affirmatively furthering your fair housing efforts by providing sample policies for your use. These policies may be duplicated or used as a guideline in drafting your own. They are also available on the web at <http://www.metrokc.gov/dias/ocre/> or <http://www.cityofseattle.net/civil/documents.htm>. Please feel free to contact your local fair housing agency for assistance.

Sample Tenant on Tenant Harassment Policy

Provided in this packet you will find a sample tenant on tenant harassment policy to assist you and your staff in addressing harassment or intimidation of a tenant, staff person or guest because of that person's race, national origin or other protected class. This packet includes sample guidelines for your staff and sample guidelines to give to your tenants.

Prepared by:
**Washington State Human Rights Commission
King County Office of Civil Rights Enforcement
Seattle Office for Civil Rights
Tacoma Human Rights and Human Services Department
Fair Housing Center of South Puget Sound
Northwest Fair Housing Alliance**

TENANT ON TENANT HARASSMENT POLICY

GUIDELINES FOR STAFF

Harassment or intimidation of a tenant, staff person or guest because of that person's race, color, national origin, religion, sex, disability, familial status, [insert additional protected classes depending on the location of your property] are violations of fair housing laws, are specifically prohibited and will not be tolerated.

DEFINITIONS:

"Discriminatory Harassment or Intimidation" includes abusive, foul or threatening language or behavior directed at a tenant, staff person or guest because of their race, color, national origin, religion, sex, disability, familial status [insert additional protected classes depending on the location of your property].

"Staff" includes owners, on-site management, off-site property management staff, leasing agents, maintenance personnel, or any other representative of the owner or management company.

"Enforcement agencies" are agencies authorized by law to accept and investigate housing discrimination complaints. The fair housing enforcement agencies in Washington State are the Department of Housing and Urban Development, the Washington State Human Rights Commission, the King County Office of Civil Rights Enforcement, Seattle Office for Civil Rights, and the Tacoma Human Rights and Human Services Department.

POLICY:

It is the policy of [insert name of company here] that harassment or intimidation of a tenant, staff person or guest because of that person's race, color, national origin, religion, sex, disability, familial status, [insert additional protected classes depending on the location of your property] will not be tolerated.

Discriminatory harassment or intimidation, including abusive, foul or threatening language or behavior, are violations of the fair housing laws and specifically prohibited.

All staff shall model appropriate non-discriminatory behavior and strive to cultivate and maintain a living environment that is free from discriminatory harassment or intimidation.

All staff shall be trained in detecting and addressing discriminatory harassment or intimidation.

Staff who witness or learn of possible discriminatory harassment or intimidation or receive a complaint from a tenant must take it seriously and respond promptly according to the procedures outlined in this policy.

PROCEDURES:

In cases of emergency such as immediate threat of bodily harm, call 911.

When a tenant complains of discriminatory harassment, tell the tenant that you take the complaint seriously and will be looking into the matter.

Conduct a prompt investigation to determine whether a violation of this policy has occurred based on all facts and circumstances, the nature of the allegation, and the context in which the alleged incidents occurred.

- When discussing the allegations with the alleged harasser, tell them that harassment is not tolerated and that you will be investigating the allegation.
- Document all information gathered.

If you are unable to verify a violation of the policy following the investigation:

- Document the complaint and results of the investigation in both the complaining party's and alleged harasser's files;
- Remind each individual alleged to have engaged in discriminatory harassment about management's serious commitment to a housing environment free of harassment and that retaliation against the complaining party will not be tolerated;
- For ongoing tenant conflict that cannot be verified as motivated by discrimination, staff may wish to refer tenants to the local Dispute Resolution Center or other local mediation services, or hire an outside consultant/mediator.
- Proceed with progressive disciplinary action up to and including eviction if necessary for ongoing unresolved conflicts.

If the investigation supports a violation of this policy:

- Document the complaint and results of the investigation in both the complaining party's and alleged harasser's files;
- Proceed with progressive disciplinary action up to and including eviction if necessary for ongoing or serious violations:
 - For example, if the allegation involves an isolated incident of a single derogatory statement, it may be appropriate to issue a 10-day notice to comply with a stern written warning that additional incidents could result in termination of tenancy. On the other hand, if the allegation involves a single incident of highly offensive language along with threats, a notice to terminate tenancy may be appropriate.
- Inform the complaining party of the results of the investigation and the actions taken.
- Remind all parties that retaliation against the complaining party or others involved in the investigation will not be tolerated.

Staff shall monitor for retaliation against any person involved in the filing or investigation of a complaint of discriminatory harassment or intimidation.

Retaliation by the alleged harasser shall be dealt with in the same manner as the original allegation of discriminatory harassment under this policy.

Retaliation by staff against any tenant complaining of harassment will not be tolerated.

TENANT ON TENANT HARASSMENT POLICY

GUIDELINES FOR TENANTS

Harassment or intimidation of a tenant, staff person or guest because of that person's race, color, national origin, religion, sex, disability, familial status, [insert additional protected classes depending on the location of your property] are violations of fair housing laws, are specifically prohibited and will not be tolerated.

Engaging in discriminatory harassment or intimidation, including abusive, foul or threatening language or behavior, shall be considered good cause for termination of tenancy.

TENANT POLICY

DEFINITIONS:

"Discriminatory Harassment or Intimidation" includes abusive, foul or threatening language or behavior directed at a tenant, staff person or guest because of their race, color, national origin, religion, sex, disability, familial status [insert additional protected classes depending on the location of your property].

"Staff" includes owners, on-site management, off-site property management staff, leasing agents, maintenance personnel, or any other representative of the owner or management company.

"Enforcement agencies" are agencies authorized by law to accept and investigate housing discrimination complaints. The fair housing enforcement agencies in Washington State are the Department of Housing and Urban Development, the Washington State Human Rights Commission, the King County Office of Civil Rights Enforcement, Seattle Office for Civil Rights, and the Tacoma Human Rights and Human Services Department.

POLICY:

It is the policy of [insert name of company here] that harassment or intimidation of a tenant, staff person or guest because of that person's race, color, national origin, religion, sex, disability, familial status, [insert additional protected classes depending on the location of your property] will not be tolerated.

Discriminatory harassment or intimidation, including abusive, foul or threatening language or behavior, are violations of the fair housing laws and specifically prohibited.

Tenants who experience or witness such conduct are strongly encouraged to report it to [insert name, phone number and address of designated person].

Retaliation by staff or tenants against (1) any tenant who complains of discriminatory harassment or intimidation or (2) any witness who supports a claim of discriminatory harassment or intimidation will not be tolerated.

PROCEDURES:

Tenants who experience or witness what may be discriminatory harassment or intimidation are strongly encouraged to address or report any incident according to the following procedures:

- In cases of emergency such as immediate threat of bodily harm, call 911.
- If you are the victim of a hate crime such as vandalized property or a threat of harm to yourself or your property, contact your local police department's hate crime unit.
- If you feel safe doing so, ask the person doing the harassing to stop the behavior.
- Report the problem to [insert name, phone number and address of designated person].
- Staff will take your complaint seriously and get back to you after looking into the matter.
- If you believe staff is failing to take appropriate action regarding your complaints of discriminatory harassment or intimidation contact [property management company contact, address and phone number] or a fair housing agency in your area listed on the attached sheet.
- If you believe that the tenant you complained about or any other tenant or guest is treating you badly because you complained about discriminatory harassment or intimidation, report that behavior to staff immediately.
- If you believe staff is treating you unfairly after reporting discriminatory harassment or intimidation, contact [property management company contact, address and phone number] or a fair housing agency in your area listed on the attached sheet.
- If you have any questions regarding your rights under the fair housing laws contact a fair housing agency in your area listed on the attached sheet.

Housing discrimination? Here's where to find help!

<p>In the City of Seattle, call:</p>	<p>In unincorporated King County, call</p>	<p>In the City of Tacoma, call:</p>	<p>In the State of Washington, call:</p>	<p>In any US state or territory, call:</p>
<p>Seattle Office for Civil Rights</p>	<p>King County Office of Civil Rights Enforcement</p>	<p>Tacoma Human Rights and Human Services Department</p>	<p>Washington State Human Rights Commission</p>	<p>U.S. Department of Housing and Urban Development</p>
<p>Protected classes:</p> <p>RACE COLOR NATIONAL ORIGIN RELIGION SEX DISABILITY PARENTAL /FAMILY STATUS RETALIATION MARITAL STATUS AGE ANCESTRY SEXUAL ORIENTATION USE OF A SECTION 8 CERTIFICATE CREED POLITICAL IDEOLOGY GENDER IDENTITY</p> <p>Complaints must be filed within 180 days after the alleged violation occurred.</p>	<p>Protected classes:</p> <p>RACE COLOR NATIONAL ORIGIN RELIGION SEX DISABILITY PARENTAL /FAMILY STATUS RETALIATION MARITAL STATUS AGE ANCESTRY SEXUAL ORIENTATION USE OF SECTION 8 /HOUSING SUBSIDY</p> <p>Complaints must be filed within 180 days after the alleged violation occurred.</p>	<p>Protected classes:</p> <p>RACE COLOR NATIONAL ORIGIN RELIGION SEX DISABILITY PARENTAL /FAMILY STATUS RETALIATION MARITAL STATUS AGE ANCESTRY</p> <p>Complaints must be filed within 1 year after the alleged violation occurred.</p>	<p>Protected classes:</p> <p>RACE COLOR NATIONAL ORIGIN RELIGION / CREED SEX DISABILITY PARENTAL /FAMILY STATUS RETALIATION MARITAL STATUS</p> <p>Complaints must be filed within 1 year after the alleged violation occurred.</p>	<p>Protected classes:</p> <p>RACE COLOR NATIONAL ORIGIN RELIGION SEX DISABILITY PARENTAL /FAMILY STATUS RETALIATION</p> <p>Complaints must be filed within 1 year after the alleged violation occurred. Complaints on HUD-subsidized facilities must be filed within 180 days.</p>
<p><i>Note: the Fair Housing Act, as well as state and local fair housing laws, exempt certain types of housing from the coverage of the law.</i></p>				
<p>Contact information:</p> <p>700 3rd Ave., Ste 250 Seattle, WA 98104-1849 (206) 684-4500 TTY (206) 684-4503 Fax (206) 684-0332</p>	<p>Contact information:</p> <p>Yesler Bldg, Rm. 260 400 Yesler Way Seattle, WA 98104-2628 (206) 296-7592 TTY (206) 296-7596 Fax (206) 296-4329</p>	<p>Contact information:</p> <p>747 Market St., Room 836 Tacoma, WA 98042 (253) 591-5151 TTY (253) 591-5153 Fax (253) 591-5121</p>	<p>Contact information:</p> <p>711 S. Capitol Way, Suite 402 Olympia, WA 98504-2490 (360) 753-6770 1-800-233-3247 TTY 1-800-300-7525 Fax (360) 586-2282</p>	<p>Contact information:</p> <p>Fair Housing Enforcement Center 909 1st Ave., Suite 205 Seattle, WA 98104-1000 (206) 220-5170 1-800-877-0246 TTY (206) 220-5185 Fax (206) 220-5447</p>

The following organizations advocate for fair housing, provide training and education/outreach:

Fair Housing Center of S. Puget Sound (253) 274-9523

Rust Bldg., 950 Pacific Ave. Suite 700, Tacoma WA 98402 fhcsps@ix.netcom.com

Northwest Fair Housing Alliance (509) 325-2665 1-800-200-FAIR (in 509 area code)

35 West Main Ave., Suite 250, Spokane, WA 99201 nwfairhouse@nwadv.com