

Texas Department of Housing and Community Affairs
Fair Housing Overview Training
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>> The broadcast is now starting.

>> Good afternoon, everybody. Welcome to our fair housing month
overview training. We will get started in just a minute or two. I
want to give everybody a chance to get signed into the webinar and
to work out any kinks. So, a couple of housekeeping things while we
do that. If you have questions during this webinar, you can go ahead
and type them into the questions box. I will be -- we will be able
to take those questions for you.

We'll either take them as they come in. We may wait until a good
break or save them until the end. In some cases, we may not have the
answer right away. We may have to get back to you with more information.
In those cases, we will be emailing you later on. If you want to make
sure that your audio is working properly, you can check the audio
tab in Go to Webinar. So, we're going to start here in another minute
or two.

I am going to put up a quick poll. If you don't mind letting
us know, just to get a little bit of information about who is joining
us today. So I'm going to put that up and we'll be back at 2:07.

>> Darus: Okay. It looks like we are at the 2:07 mark and we have gotten some responses in the poll. We have nonprofits and people who are other, not falling into any of the categories. Welcome to everybody. Sounds like a lot of new faces. And we are going to go ahead and get started. I'm going to introduce you to today's main presenter, whose name is Jeffrey Riddle. He works with the Texas Workforce Commission Civil Rights Division. Jeffrey, take it away.

>> Riddle: All right. Good afternoon, everybody. Happy April 1st, April Fool's Day. I got jokes all out of the way before this presentation began. You don't have to worry about that. As Nathan mentioned, I am Jeff Riddle. I work with the Texas Workforce Commission Civil Rights Division as a Training and Outreach Specialist. Today we're here to bring you an overview of fair housing training to bring you knowledge, let you know the ins and outs, discrimination, reasonable accommodations, modifications, and some discriminatory practices that you can be aware of.

So without further ado.

>> Darus: This is just a quick disclaimer for today.

This material is based upon work supported by the U.S. Department of Housing and Urban Development under the Fair Housing Initiatives Program Grant - Education and Outreach Initiative No. FEOI1900455. Any opinion, findings, conclusions, or recommendations expressed in this material are those of the author(s) and do not necessarily reflect the views of the U.S. Department of Housing and Urban Development. That's our little legal disclaimer.

>> Riddle: It reminded me of the old PBS. This program is brought to you by, for those that might remember those times. And again, before we start, just wanted to let you know that all

Materials and recordings of this webinar will be available on the TDHCA website. We do have a questions box. You can chat into the questions box. And if we can answer it right then, we will. If we're going to wait until the end of a certain topic, subject matter, we will wait. Or if it's something we can't answer the fly and have to do research, we will get back to you, we promise.

>> Darus: Another quick little bit of information here. This training is informational only and does not satisfy the requirements in the Texas Administrative Code 10 TAC 10.402(e)(1)-(2) for post bond closing documentation (for Multifamily Bond transactions) and documentation submitted for the 10 Percent Test (for Housing Tax Credits).

>> Riddle: And again, here are the presenters. I'm Jeffrey, and you're hearing also from Nathan. This is a quick overview of the agenda that we're going to be doing today. We're going to give you a quick overview of our agencies. We're going to talk about the federal and the Texas Fair Housing Act which I will probably refer to the acts, because they're similar. They nest within each other.

We'll go through reasonable accommodations and modifications,

let you know the difference, talk about discriminatory practices, the complaint process, mediation, and conciliation, as it is referred to in housing. This is what we are hoping that you will get out of today's training. An understanding of the acts, the protected classes, to recognize some common fair housing issues and discriminatory practices and to understand the complaint process if you feel like you have a discrimination or a harassment.

So, the Texas Workforce Commission, Civil Rights Division, Our job is to help create an environment in which citizens of the state enjoy the benefits of housing. We have two sides. We have an employment section and a housing section. Obviously today we're here to talk about the housing section. But we do handle all complaints, civil rights discrimination complaints within both employment and housing. So if there's something going on in employment, you can still reach out to us.

But today we are here to talk about housing. And this was our mission. To reduce discrimination through education and enforcement. I, as training and outreach, am on the education side of the house. Because I feel it's great to get the information out there to potentially stop discrimination by providing that knowledge that people may not know what they were doing is a discriminatory practice. And then we have the enforcement, should there be an actual act of discrimination that is brought to our attention.

>> Darius: The Texas Department of Housing and Community Affairs, or TDHCA, is the state agency responsible for affordable housing, community and energy assistance programs, colonia activities, and the regulation of the state's manufactured housing industry. TDHCA administers housing programs such as the low-income housing tax credit program, the investment partnerships program. As the fair housing training specialist, I, Nathan, am part of the Fair Housing Data Management and Reporting Team at TDHCA.

The Fair Housing Team assists TDHCA and other state departments -- state agencies -- depending on identifying and addressing fair housing issues throughout the state of Texas. And our mission here at TDHCA is to administer its assigned programs efficiently, transparently, and lawfully and to invest its resources strategically and develop high-quality affordable housing which allows Texas communities to thrive.

One of our projects is the analysis of impediments to fair housing choice. TDHCA, as a recipient of the Community Planning and Development grant from the US Department of Housing and Urban Development, we were obligated to complete the Analysis of Impediments to Fair Housing Choice every five years. In Texas, TDHCA takes the lead on this process on behalf of all state agencies who receive HUD CPD funds and has released the 2019 State of Texas Analysis of Impediments to Fair Housing Choice.

That serves as a tool for TDHCA and its programs. This AI both

assesses where we are as a state as it relates to fair housing, and then identifies impediments and possible solutions or recommendations where applicable. It is available for viewing on the TDHCA website and available as one of the handouts in your GoToWebinar software.

>> Riddle: So, with who we are out of the way, we're going to move on into the Federal and the Texas Fair Housing Act. So, what is the Fair Housing Act? The Fair Housing Act is a cornerstone of civil rights history in this country. It represents Title VIII (8) of the Civil Rights Act of 1968.

Let's start with the Civil Rights Act of 1866. This was the first United States federal law to define citizenship and affirm that all citizens are equally protected by the law. The Act implemented the 13th Amendment, which abolished slavery. Its main catalyst was the Civil War, and this Act was drafted to protect the civil rights of all freed persons. The Civil Rights Act of 1866 did not provide any federal enforcement, however, just civil. The Civil Rights Act of 1866 provided the basis for the Supreme Court decision in Jones v. Alfred H. Mayer.

In this case, Jones alleged that the Mayer Company refused to sell him a house because of his race. The Supreme court ruled on June 17th, 1968 that Congress could regulate the sale of private property to prevent racial discrimination. This decision reversed many precedents, and held that the 13th Amendment authorized congress to prohibit private acts of discrimination.

But even after that landmark Supreme Court case which outlawed the exclusion of African Americans or other minorities from certain sections of cities, race-based housing patterns were still in force by the late 1960s. Those who challenged them often met with resistance, hostility, and even violence.

In this climate, organizations such as the National Association for the Advancement of Colored People, the G.I. Forum and the National Committee Against Discrimination in Housing lobbied for new fair housing legislation to be passed. Civil Rights leaders like Martin Luther King, Jr., Congressman John Lewis, and the NAACP Washington director Clarence Mitchell, Jr. were influential in the advocacy and grassroots work to push for Fair Housing legislation.

The Fair Housing Act of 1968 prohibited discrimination concerning the sale, rental and financing of housing based on race, religion, national origin, or sex. Intended as a follow-up to the Civil Rights Act of 1964, the bill was the subject of a contentious debate in the Senate, but was passed quickly by the House of Representatives in the days after the assassination of civil rights leader Martin Luther King, Jr.

MLK was assassinated on April 4th, 1968. The bill was signed into law on April 11th, 1968 by President Lyndon B. Johnson. The Civil Rights Act of 1968 extends protections to protected classes

of people in this country, and provides for federal enforcement of that protection. As we continue to reference the Fair Housing Act in today's webinar, we will be referencing the text of the Fair Housing Amendments Act of 1988, which amends the Civil Rights Act of 1968 to include further definition of discriminatory housing practices, and includes and familial status to the list familial status to the list of protected classes.

In the act, it is referred to as handicap, but it is meaning disability as it is currently defined. So, what is the Fair Housing Act? The Fair Housing Act is the be all, end all policy of the United States to provide, within constitutional limitations, for fair housing through the United States. No person shall be subjected to discrimination because of their race, color, religion, sex, handicap -- as I said, disability, which I will be referring to as disability from here on out --

Familial status, or national origin in the sale, rental, or advertising of dwellings, in the provision of brokerage services or in the availability of real estate-related transactions. Anything that has to do with housing. CFR stands for the Code of Federal Regulations, which is a document that contains all regulations published in the Federal Register and is divided into 50 sections. Housing and Urban Development, which I will refer to as HUD,

Is found in Title 24, which is also where the majority of fair housing act regulations are located. The Texas Fair Housing Act mirrors the federal Fair Housing Act. It's the same thing, just in the state of Texas. It was passed in legislation on may 25, 1989. It was originally enforced the Texas Fair Housing Act. Since

September 1, 2015, the duties and authority of the Texas Commission on Human Rights were transferred to the Civil Rights Division of the Texas Workforce Commission. 2015, we became a separate division. And, so, the protected classes, as I mentioned a couple times. Sorry about that, people. So, race, color, national origin, familial status, religion, sex, disability, those are the seven.

Slight difference between housing and employment. There's only one protected class that separates the two, just so everybody was aware. We have familial status in housing, and employment has age. Even though there's a lot of take your kids to work days, it's not really a thing inside housing -- employment you need the familial status, but you need the age in employment. We have an exception for age -- exemption.

So, the first protected class is race. It is broken down into five racial categories, defined by the Federal Office of Management and Budget. So you have Asian, African American or Black, native American or Alaska Native,

Native Hawaiian or Other Pacific Islander, and White. Some will identify themselves as having more than one race. As you know, it's

illegal to discriminate against any housing applicant or tenant based on stereotypes and assumptions. It's illegal to discriminate against an applicant or tenant because that person is married to someone of a different race or associates with people of certain racial groups.

Racial slurs, derogatory comments, threats, or other verbal or physical conduct based on a person's race are illegal. Harassment based on race also violates Fair Housing laws. In addition, state and federal fair housing laws prohibit discrimination based on characteristics associated with race, such as hair texture or facial features.

Our next protected class is color. Color is sometimes connected to or confused with race, but simply refers to a person's skin pigmentation or color. Color is separate from race because people can discriminate solely on color. For example, someone can discriminate against another person whose skin is lighter or darker. Those discriminating based on color may make assumptions about a person's intelligence, social status, education, income, and other characteristics.

An example of color discrimination would be making housing decisions that favor individuals with lighter complexions over those with darker complexions, even if the individuals are of the same race or national origin. The national origin protected class. No one can be denied housing or housing opportunities because of their birthplace, ancestry, or culture.

Unfair or illegal housing-related services directed to Limited English Proficient individuals or those who speak a particular language may also constitute intentional discrimination. So those people who have a hard time speaking/reading English are discriminated against, it would fall under the protected class due to their limited English proficiency. Advertisements, a couple of examples.

Advertisements containing blanket statements such as "all tenants must speak English," or turning away all applicants who are not fluent in English, somebody has a hard time grasping what you're talking about, maybe you turn them away because of the language barrier.

Or making statements disparaging tenants for speaking other languages may be discrimination. If a housing provider is required to provide housing-related language assistance services to those limited English-speaking proficiency persons under federal, state or local law, or by contract, and the housing provider fails to comply with that requirement, this too may constitute intentional discrimination.

The next protected class is familial status, and that just means family, in Latin. So it's your family status. And that refers to a family unit. That family status can include persons who have children

under the age of 18 who are living with their parents or legal custodians, pregnant women, and people who are seeking to secure the custody of children under 18 -- adoption, fostering. If you're a legal guardian, fostering stepchildren, children, all of these would put you under the familial status definition when it comes to family.

Of note, at least one child must be under the age of 18 years old. Housing providers cannot refuse to rent or sell to a woman because she is pregnant, nor can they refuse to rent or sell to a pregnant woman because of prejudices against pregnant applicants. An example would be you have somebody on maternity leave because they just had a kid or are about to have a child, and a lending agent turns them away because they cannot show -- they have proof of income, but they're like, my personal belief is most women, once they have a kid, they never go back to work.

So I can't accept that you're going to be working and be able to carry on this loan for this home that you want to buy over the long term. That could be constituted as a discriminatory example. Also, increasing security deposit to cover children. That is a discriminatory practice of making somebody pay more of a security deposit for a home/house/apartment because they have children. It's also illegal to segregate

Families and/or pregnant women by assigning them to specified geographic areas, like within an apartment complex. It's also illegal for housing providers to deny or limit families or pregnant women from purchasing or occupying certain properties or buildings.

"You can't rent that unit - families aren't allowed in that building because older residents don't want children there," is a statement that indicates unlawful discrimination. And here are some signs that have actually been posted up at times that we have seen. In all of these, remember, housing providers should avoid rules and policies that may constitute violations, such as overly restrictive policies that unfairly penalize families from children or children by placing restrictions on the use of pools, spas, playgrounds, or other common areas requiring adult supervision, or other restrictions that are not required by adult residents.

In such cases, should questions arise, providers should consult legal counsel, insurance experts, the state and federal Fair Housing Acts. They can reach out to us. We can try to help you understand that technical assistance. The next protected class is religion. Religion refers to all aspects of religious beliefs, observances, practices. Discrimination based on religion includes overt discrimination against members of a particular religion.

I don't like the people of that religion. Indirect discrimination, such as homeowner's associations restricting decor or symbols regarding religious practices. You can't hang that cross or star of David there. Laws also protect persons without religious preferences as well, such as atheists, agnostics, and the like. An

example of discrimination based on religion could exist if people hear a landlord, a real estate, or a lender saying -- a Jewish couple comes in and they say, I'm going to show you neighborhoods with synagogues.

Not taking it to be discrimination, but that statement can be considered discrimination based on that couple feeling like they're only going to be shown neighborhoods around synagogues. Or another thing, you see an advertisement that a lender says we specialize in lending to Christians. These could be examples of discriminatory practices under the religious protected class.

And the protected class of sex. So, state and federal law are very clear that any type of discrimination in housing based on a person's gender is prohibited. State and federal laws also prohibit discrimination based on stereotypes and assumptions about a person's gender. You can't take gender into account in the rental and sale of real estate or any other housing decision. The protected category does have a very broad area that it covers to include, as I said, gender stereotyping, discriminatory pricing because of pregnancy or single parenthood, and sexual harassment falls under the protected class of sex.

An example would be, "we don't rent to single men in this apartment complex." Or I'm not going to fix your AC in the middle of a Texas summer unless you go on a date with me, or you send me a nude picture of yourself. That would be sexual harassment.

On January 20th of 2021, President Biden issued Executive Order 13988 on preventing and combating discrimination on the basis of gender identity or sexual orientation. This executive order directed every federal agency to address all agency actions taken under federal statutes that prohibit discrimination on the basis of sex, and enforce the statutes of the recent Supreme Court decision of *Bostock vs. Clayton County*, which happened last summer.

The court ruled that discrimination under the basis of sex, as in Title VII of the Civil Rights Act, extend to include discrimination on the basis of sexual orientation and gender identity. HUD's Office of Fair Housing and Equal Opportunity has issued a memo on the implementation of this order, and the enforcement of the Fair Housing Act to prohibit discrimination on the basis of sexual orientation and gender identity in all federally funded housing programs.

And as I said, there is examples of sexual harassment. And the first one here is *quid pro quo*. In *quid pro quo*, it's a term in Latin that means this for that. And as my example I stated earlier, I will not fix your AC if you do not go on a date with me, or send me nudes, or have sex with me. That is a this for that. It's unwelcome requests or demand to engage in conduct. And it involves any aspect of the housing process.

Conditions relating to sale, rental, availability of dwellings,

terms, conditions, services. I'm not going to run your credit check for the loan unless you do this for me, right, in a sexual connotation would be an example of quid pro quo. And then we have the other side of the sexual harassment, is the hostile environment harassment. And this is unwelcome conduct that is sufficiently severe or pervasive as to interfere with the sale, rental, or availability of a dwelling, the terms, conditions of the sale or rental, or the conditions of facilities within or the ability of terms or conditions of the residential real estate-related transaction.

This basically covers everything else. I would want to stress that it has to be severe or pervasive. Severe means that one instance where you're sitting at the desk of a broker or you're in the car of a real estate agent and a hand goes on the knee and goes right up the leg, that is a severe. Pervasive can mean sexual-related comments by your apartment manager that happen continuously, every time you walk by the office, there is a sexually charged comment about the way you look today, or about your body.

And it happens continuously over time. It's pervasive. So it has to meet one of those two definitions to constitute a hostile environment. And then the last protected class is disability. So, under the definition of disability, a person has to have a physical or mental impairment that substantially limits one or more of the person's major life activities, is regarded as having such an impairment, or has a record of the impairment.

In addition to the laws covering a buyer or renter with a disability, the following persons are covered: a person residing in, or intending to reside in the dwelling after it is sold, rented or made available and any person associated with the buyer or renter.

Some people with disabilities have guardians, and those people are also covered as well. So, what are some of the major life activities? As you see here, caring for oneself, performing tasks, walking, seeing, hearing, speaking, learning, working. All of these are major life activities, as we've defined it. So some of the common impairments to those major life activities, some examples. Visual, speech, and hearing impairments.

Muscular dystrophy, cancer, heart disease, diabetes, drug addiction, alcoholism. On the last two, can't be a current illegal drug user. It is more for a person that is in a treatment program. So, when it comes to disabilities, this is -- we get a lot of complaints when it comes to disabilities, because it is such a vast and diverse protected class, and there's a lot of things that go into it. As I said, reasonable accommodations. And this fits into the disability protected class.

So, what are reasonable accommodations and modifications? An accommodation is a change or exception, adjustment to rules, policies, practices and/or services. For example, pet policy, trash policy is and practices. And a modification, you're changing, an actual change

to a dwelling unit or common area. An example would be accessible ramps, lifts for stairs, change to parking lot layout, or adding accessible parking.

And under the acts, it is unlawful for any person to refuse to make reasonable accommodations in rules, policies, practices, or services when such accommodations may be necessary to afford a person with a disability equal opportunity to use and enjoy the dwelling. A key word is, it's unlawful for a person to refuse to make a reasonable accommodation. You can deny, and we will get to that. But you can't just outright refuse to make a reasonable accommodation.

And this all comes down to Texas property code, section 301.025. And it's also in the HUD/Department of Justice memorandum, on Reasonable Accommodations, item 6. So, a reasonable accommodation -- if a person has a disability, a landlord cannot refuse to make a reasonable accommodation through any of the rules, policies, or services for that person. An example, you must pay all pet fees and rent even though you have a service animal.

If you are renting a place, usually you have to pay an extra security deposit for a pet and maybe pay a little extra every month. If you have a service animal, that is not a pet. It's a service animal. So a fair housing violation would be having to pay the pet-related deposit and everything, fees for something that is a service animal. And there's a picture of a service dog.

A reasonable modification is an actual change to everything. A tenant that has a disability, a landlord cannot refuse to let that person make a reasonable modification to that person's dwelling or common use area if it is necessary for that person to use the housing and if the modifications are done at that person's own expense. For example, you have a tenant who is a wheelchair user, requests a modification to build a ramp for getting into their home. It would be illegal to deny the request if the tenant is going to do it at his own expense and when that tenant decides to move, he will remove that ramp and return everything back to its original conditioning.

In the case of a rental, the landlord may, where it is reasonable to do so, conditionally permit a modification if the renter agrees to restore the interior of the premises to the condition that existed before the modification. The landlord may not increase the security deposit for individuals with disabilities.

However, where it is necessary to ensure with reasonable certainty that funds are available to pay for the restorations at the end of the tenancy, the landlord may negotiate as part of such a restoration agreement a provision requiring that the tenant pay into an interest-bearing escrow account. That's coming out of Texas Admin administrative.

There are some modifications such as a sign for an assigned parking space that the Department of Justice has said landlords must pay for because the cost is De Minimis. As a condition for granting

a renter permission for a modification, a landlord may require a reasonable description of the proposed modifications, reasonable assurances that the work will be done in a workmanlike manner, and assurances that required building permits will be obtained.

So, what do the acts require? The Fair Housing Act, again, just to reiterate everything, does require that housing providers make reasonable accommodations to rules, policies, practices, or services, to afford persons with disabilities an equal opportunity to use and enjoy a dwelling. *May be* is italicized, because there has to be a relationship between what that person's disability is and what they are requesting.

If there is not, then that is one of the bases you can deny. But there has to be a causation between the disability and the accommodation or modification that they are requesting. So, the rules for a reasonable accommodation request, accept verbal requests. I can never stress that one enough. Especially nowadays, everybody has new systems. We even have our own systems, new computers, and websites, and everything. You don't have to fill out forms anymore. You can go online.

And I encourage all of that. But remember, a reasonable accommodation request can be verbal. And it has to be accepted. You can have it then transferred to a form or to a computer program or a website, but you can't just -- because somebody comes into your office and says, "I need a parking spot assigned to me because I can't park out in the back 40 anymore." And you turn them away because they didn't use your website, you could be liable for a discriminatory complaint.

Requests should be made in a manner that a reasonable person would understand to be an exception, change, or adjustment to a rule, policy, or practice. The requester does not have to mention the Acts or use the words "reasonable accommodation" or any other magic words. And I was stating earlier, the request can be made by a family member or someone else who is acting on the disabled person's behalf. A guardian, someone who takes care of aspects of a person's life.

And again, document. It can be requested verbally, but you can be like can you sit down, use my computer and fill out our online request form for this, so we have documentation. That is fine. And remember to provide prompt responses. If you take a request and don't provide any followup to that -- because there are some requests that you would have to send off to lawyers, senior property managers, higher levels in your organization.

But if you do not provide a response and time goes on and that person who made that accommodation request has not heard anything, you could be liable for a discriminatory complaint as well for failure to act on a reasonable accommodation request.

>> Darus: Jeff, I would like to jump in here quickly. For properties that are participating in any of TDHCA's multifamily

programs, there is a requirement in the Texas Administrative Code. I do not remember the exact citation. But we do require responses to reasonable accommodations to be made within 14 calendar days. That is setting a maximum. It is not setting the normal amount of time.

Obviously as Jeff said, some things are going to be easier to respond to quickly. But you do have a hard time limit of 14 days if you are a participant in TDHCA's programs.

>> Riddle: So, there you go. There's a 14-day rule for those people. You know, undue delay in responding could be deemed as a failure. Even if you were providing updates to that person stating this is where it's at, we are following up. You don't want to do that perpetually and never accept or deny the request. So, the sooner you can get an answer, the better. So, when it comes to reactions and inquiries to avoid, so, when you receive a request, what should you not do?

As a housing provider, you may not ordinarily ask the following. The nature and severity of an individual disability. You can't ask if an applicant has a disability, or if a person intending to reside in the dwelling or anyone associated with the applicant has a disability. You get an apartment, lease request and you're like, do you have a disability? There are some exceptions to this. If the housing provider offers accessible units to persons with disabilities needing features of these units on a priority basis, you have a couple of units that have all the grab bars installed within every one of the restrooms, bathrooms, then yes.

If the housing provider operates housing that is legally limited to persons with a specific diagnosis, such as chronic mental illness, then you can ask about the disability, if a person has that disability, because you operate a dwelling specifically for that disability. As I said, you can't refuse a reasonable accommodation request, but you can deny. And here are some of the aspects of when you can deny a reasonable accommodation request.

And if that housing provider has a reliable, objective evidence that a person with a disability poses a direct threat to others (including service animal). That puppy there may or may not be dangerous. It's a good thing we're not in Florida. I'm going to say alligators. There are people in Florida that try to have alligators as a service animal. Those animals could pose a direct threat to other tenants within an apartment complex.

So, it would fall under that one. If there is no disability-related need for the accommodation. As I said before, there is no nexus between the disability and the need. If providing the accommodation is not reasonable, meaning that it would impose an undue financial and administrative burden on the housing provider or it would fundamentally alter the nature of the provider's operations. There is no magic mark on the wall that says this is when that request goes over that line.

Every situation is different. An individual that manages five properties is different from a massive, multi-conglomerate apartment complex. Their undue financial administrative burden mark on the wall would be different between those two agencies. So there's not one standard mark. It's going to be on a case-by-case basis. And if not reasonable, consider whether there is an alternative

Accommodation that would effectively address the requester's disability-related needs. You have a person that has a new mobility impairment and they are requesting in their two-story home for you to put an elevator. Maybe you can move that person to a single-story dwelling. Or you have a person in an apartment complex that wants an escalator to go up to their second-floor apartment. Well, now, you know, you start that alternative accommodation process and maybe you move them down to a unit that's on the first floor.

So you take out the need for the person to have problems getting up and down the stairs. So, who pays for the modifications? So, as we were just talking about, the accommodations is just changes to the rules, policies, and practices. Modifications are actually changes to the structure or dwelling. Usually it is on that tenant to pay for the modifications, but there are some other times where it's not.

You know, housing providers may claim that undue financial administrative burden, or that the requested accommodation, modification does constitute a fundamental alteration of the provider's operations. A lot of -ations in there. It's also important to note, again, for TDHCA-funded developments with federal or state funds, or that were awarded tax credits after 2001, the owner is responsible for paying for that reasonable modification unless it is a fundamental change to the owner's operation, or is an undue financial and administrative burden.

Remember that oftentimes an accommodation is an exception to that rule, policies, or procedures to assist an individual with a disability in an equitable way. What it really comes down to, most people will fall under the distinction, if the majority of your income as a housing provider does not come from that tenant, but comes from other sources -- grants, aid, tax credits -- then that modification is going to burden, is going to come on you as a provider, because most of the funds to maintain that residence is coming from other sources other than that tenant.

If the tenant is the main source for provider for that, then it is going to be on that tenant. Most people will fall into that category. So here is a reasonable modification flowchart on who pays. As you can see, I'll give everybody, you know, a minute to look that over. If you want to follow it through. But there's all kinds of different categories that come into play here, whether it's a single or multifamily home.

And then that changes into is there federal money, is there no

federal money coming in. You know. Does that building have more or less than four units. And as you see, it continues the further and further it gets. Single-family home it ends pretty much right there after if there was federal or no federal money. If you get into the multifamily dwellings, then you start getting into a little bit more. And obviously the flowchart gets bigger on the side.

Multifamily dwellings with more than four units. There's a mark on the wall halfway down the right side of March 13th, 1991. Anything that was built after March 13th, 1991 was designed with reasonable accommodations in mind of accessibility. If it was built prior to that, it was not. And so usually the modification is going to come down on the housing provider, because it was not built with accommodations of accessibility in mind.

And then you get down to the bottom, the low-income housing tax credit awarded before or after 2001. Did you have something, Nathan?

>> Darus: Yes. I was just going to say, I know that this is really hard to see. And I tried to make it as clear as possible on this slide. However, if you're having trouble seeing this, this is available as one of the handouts in the GoToWebinar software so that you can blow it up as big as you need to. So if you're having a hard time reading it, don't worry. grab it as one of the handouts, and it will be much easier to read.

>> Riddle: Thank you. All right. So, moving out of the accommodations/modifications, now we're going to look into some fair housing issues and discriminatory practices.

>> Darus: Before we jump into that, we do have a couple of questions that I think are definitely germane to reasonable accommodations and modifications.

>> Riddle: Okay.

>> Darus: So, the first question -- and I will take a moment to plug a couple of our fair housing training webinars that we'll be having throughout the month for these questions. So the first question, what type of paperwork should a prospective tenant provide a landlord regarding their service animal? Can a letter or a written letter from their doctor be sufficient? Jeff, I -- if you want to take it, go ahead. I do want to plug the fact that on April 13th, we will be having a training that is specific to reasonable accommodations and modifications.

And then further, in April, we will be having a training session that is specific to assistance animals. So those answers will be there, but I did want to plug that before we answer the question.

>> Riddle: Yes. I will take that. So, when it comes to the disability, and an accommodation or modification, there are certain things a housing provider can and cannot ask for. If the disability is obvious and that disability-related need is obvious, that housing provider needs no additional documentation. If you are coming in visually impaired and you have a service animal, the nexus,

everything is visible. It's on the nose.

So that housing provider cannot ask for any additional documentation. If the disability is known, but not that disability-related need, a housing provider can get documentation on that disability-related need, but they already know what the disability is. So it's just that need. And then on the last section, if a housing provider does not know what a disability-related need or a disability is, and a disability-related need, this really comes into play with a lot of the disabilities -- mental health disabilities, like you can't see autism, PTSD, depression, diabetes, right.

Those cannot be seen. Then a housing provider can get documentation from their tenant on what their disability is and what that disability-related need is. Again, you can't go into diagnoses or anything that violates HIPAA. But a letter from a healthcare provider stating this is the disability and this person has depression. And due to their depression, they need an emotional support animal. And that will -- it provides your provider with your disability, or verifies your disability and the disability-related need.

We will go into that more in the other webinars that we are providing throughout the month more in depth. That's kind of surface-level.

>> Darus: And we have one more question. I think it's kind of the opposite side of that. So, I'm going to do a tiny bit of editing to this question. What do you do about a tenant who puts an animal on their application as a pet and then two days before move-in or even anytime after move-in comes to you with an online therapist letter saying that the animal is a support or service animal?

>> Riddle: So, they came in as a pet, and now they are a service animal?

>> Darus: Yes.

>> Riddle: A good example of this, a case study that we had is -- this might address the question. You had a tenant who had a cat and was told to pay for the security deposit, pet security deposit for that cat and a monthly service fee. She had -- she/he, I don't remember what it was. That person had stated that the housing provider knew about their disability. So they filed a complaint. During the investigation process, it was identified that the housing provider did not have any documentation that that cat was an emotional support animal.

So that tenant got the documentation, provided it to their landlord, and the complaint went away because now everybody -- that tenant didn't have to pay for the security deposit and the monthly pet fee. This situation would be very similar, if I'm understanding it right. You did come in with a pet. At some point in time, that pet became an emotional support animal and you provided that

documentation. So you would not be required for any additional fees going forward that classifies that pet as a pet over a service animal.

I hope I got that question answered for the person.

>> Darus: Yeah, I don't want to leave you as the only one answering the sticky questions related to service and assistance animals, so I do want to tack on one extra little piece of information, which is that not every person with a disability, or with a service animal or assistance animal, necessarily knows how to request a reasonable accommodation for one, particularly when applying for new housing. So, just because they put it as a pet on their application and then they realize wait, I did need to say that it was an assistance animal, it doesn't necessarily mean that it's not an assistance animal.

I do want to add an extra little bit about the -- you know, what, I'm not going to add that piece of information. I'm going to plug our assistance animal training, because I get into much -- I will get into much more detail about that. It will be later in the month. I don't know the exact date, but I can look that up. Because we get into much more detail in that training regarding assistance animals. And that is one of the questions that we consider specifically.

It looks like that is going to be on the 15th of April at 2:00 p.m. So go ahead and sign up for that training and you'll learn all that you ever wanted to learn about assistance animals, and probably then some.

>> Riddle: Perfect. Were there any other additional questions?

>> Darus: I do want to remind people that if you are talking about a specific situation, and these are not hypothetical questions, remember that the details are very important. So, you know, when it comes to specific situations, we're not going to be able to give you a specific answer. So, no, we don't have any more reasonable accommodation questions, it doesn't look like.

>> Riddle: All righty. Now we'll move into the issues in discriminatory practices. So, let's begin with renting, selling, and setting terms and conditions. Due to a person's protected class, someone may not to refuse to negotiate for a house, refuse to rent or sell housing, set different terms, conditions, or privileges for sale or rental of a unit. These are discriminatory statements a person in a protected class might hear when negotiating for a rental unit.

Sorry, but we're not able to rent to people who have a mental illness. You can't get this apartment, home, rented to you because you're a Wiccan and I don't recognize that religion. We just rented the last vacant unit. Now, another example, when it comes to setting terms and conditions,

Let's say that there is a single working mom living in an apartment with 4 children and she is working two jobs. She does not have time to clean the unit in a manner that is required to be kept

according to the lease agreement.

So the question, can she be evicted because of her poor housekeeping? There's a lot to unpack in there, but, yes, she can be, as long as the Housing Provider is following its housekeeping and eviction policies in a consistent manner. So, just remember, as long as everything is fair and consistent across everybody and you're not favoring or discriminating against a person in particular due to their situation or protected class, as long as it's consistent, then, yes, that kind of scenario, you can evict them.

So, when it comes to publication and inspection, a person may not make, print, or publish a notice, a statement, or an advertisement about the unit that may indicate any discrimination against a protected class. Landlords and other housing providers need to be careful regarding advertising. It may sound very inviting to attract a certain group of people; however, it may discriminate against protected classes.

According to state and federal law, remember that verbal statements may constitute discrimination as well, and someone is not absolved from liability by blaming another person for a discriminatory statement repeated on their behalf. An example would be, a leasing agent tells someone that "no unit is available to inspect or rent" when a unit is actually available. If another person from a different protected class comes in afterward and gets the opportunity to see a unit, this could violate the Acts.

Then we have blockbusting. This term -- a person may not persuade someone to sell or rent with representation regarding the entry or prospective entry into a certain neighborhood. That's what blockbusting is. So, an example of this is, you have somebody that's talking -- an agent saying, the racial demographics are going to change, so you need to sell now. Or property taxes will increase when the national origin in this neighborhood changes, you need to sell now.

These are examples of blockbusting. Then you have steering. So a person may not assign a person to a particular section of a community, neighborhood, or development, floor of a building because of their membership to a protected class. As you see the example, we shouldn't let women live on the first floor of an apartment building. So I'll only be showing you units on the second or third floor. You may be more comfortable living on 8th Street. That's where the majority of X families live.

Plug in your protected class there. This is known as steering. Basically, like herding cattle into a certain pen. So when it come to brokerage services, on the brokerage services, some discriminatory, you can't set different fees for access to or membership in multiple listing services, MLS, deny or limit benefits in the organization, impose different standards or criteria for

membership sales, or establish geographical boundaries for access, membership, or participation in any MLS.

So in lending and other financial assistance, you can't refuse to provide a person with a loan or financial assistance availability, application requirements based off their protected class, provide information that is inaccurate or different, determine the type of loan or financial assistance, fix the amount, interest rate, duration, etc., use different practices in determining credit worthiness based on that person's protected class, or treat people differently based on their protected class within these lending services.

So an example, a loan officer or loan official is prohibited from requiring a higher down payment from an applicant because the loan officer believes applicants of that particular race are less likely to repay the loan. However, loan officers may turn down an applicant because the applicant does not have steady income if all applicants are required to have a steady income. Examples of discriminatory

Statements: "We cannot approve your loan because you are on maternity leave. You need to go back to work before we can proceed with the paperwork." "We cannot count your disability income unless we get a letter from your doctor confirming you will continue to receive these payments for the next five years." That would be a discriminatory statement.

The Texas Workforce Commission, as we investigate complaints, we see things. And we have found, you know, these to be a lot of the times statements that we will hear.

So, when it comes to retaliation, interference, coercion and intimidation, right, all of that is wrong under both the Federal and the Texas Fair Housing Act. It's unlawful to interfere, intimidate, retaliate, on a person because of that person's protected class, or because that person has filed a complaint, or that person is participating in a complaint. They are a witness, they are somebody that's giving a statement.

Some prohibited conduct is threatening, intimidating, interfering with an individual and their enjoyment of their home based on a person's protected class, threatening or taking adverse actions based on that protected class, retaliating against a person because that person made a complaint, or participated in proceedings, in a complaint. For example, a tenant has made a complaint against their apartment complex. While that complaint is being investigated, their AC goes out or their don't have hot water anymore and they submit a maintenance request.

And that request just goes unfulfilled because hey, that person made a complaint against us, I'm not going to help them out. That would be an example of retaliation. or if you are going to participate, you are a witness in a complaint and somebody comes to you and tells you if you're going to provide a statement for that person, you could

suffer some consequences. You could be evicted. That would be examples, under the coercion/intimidation/interference.

Disparate impact -- so, disparate impact defined, it's a facially neutral practice. There are predictable results in discriminatory effect on a group of persons. That has a disparate impact, or on the community as a whole on the basis of a protected characteristic. The perpetuation of segregation.

The Supreme Court case examining the question how does the Fair Housing Act include the right of action for disparate impact claims. The inclusion of community's project, Inc. sued TDHCA for furthering racial segregation by only awarding tax credits for developers to develop in communities of color. TDHCA argued that they had no intent to discriminate, but admitted to providing the tax credits to these developers due to these communities being in need of affordable housing.

However, this created a disparate impact by only providing affordable housing opportunities in specific communities and not in every community. This segregates low-income and minority communities. So, when it comes to HUD guidance on disparate impact, there have to be elements of proof to prove disparate impact, to use the same term. [Chuckling] Charging party or plaintiff bears the burden of proving the prima facie case.

There are elements that have to be met in order to -- multiple elements. And you have to prove those elements. The burden then shifts to the respondent or the defendant to prove that the practice is necessary to achieving a substantial, legitimate, nondiscriminatory interest. The standard for justifying a practice is not to be interpreted more leniently than a business necessity standard. And if the respondent or defendant satisfies this burden, the charging party or plaintiff may establish liability by proving the substantial, legitimate, nondiscriminatory interest could be severe by a practice that has a less discriminatory effect.

So with all that, a lot of big words in that. Some examples, what does it all mean. You've got policies and Practices that May have Discriminatory Effects Enacting or implementing land-use rules, ordinances, policies, or procedures that restrict or deny housing opportunities or otherwise make unavailable or deny

Dwellings, provision of loans and other financial and other financial assistance, groupings of people within a protected class, community's occupancy limit of X persons per dwelling, criminal history, English proficiency, could exclude a lot of people within our state alone who may not have as comfortable a grasp.

They speak multiple languages and English is their second language. By creating the rule, you could have a disparate impact on those people. Broad swath, not just one individual. I'm making a statement against one person. But if I create rules, policies, practices, services, land use rules, right, and it could affect a

broad swath of a protected class, that is what the disparate impact is getting to. Prohibition against certain breeds of dogs. That is basically what the disparate impact is.

It's not just a one-on-one example of discrimination. It is something that discriminates and has that effect against a broad protected class. When it comes to disparate impact and the use of criminal records -- so, on April 4th, 2016, HUD released guidance on the application of fair housing standards to the use of criminal records by providers of housing and real estate-related transactions. In that guidance is included the HUD guidance packet available in the handouts, as we mentioned earl.

As many as 100 million U.S. adults, nearly one-third of the population have a criminal record of some sort in the United States. African Americans and Hispanics are arrested, convicted, and incarcerated at rates disproportionate to their share of the general population. Since 2004, over 650,000 individuals have been released annually from federal and state prisons, and over 95% of current inmates will be released at some point.

When individuals are released, their ability to access safe, secure, and affordable housing is critical to their successful re-entry. And while having a criminal record is not a protected characteristic or class under the Fair Housing Act, criminal history-based restrictions on housing opportunities violate the Act if, without justification, their burden falls more often on renters or other housing market participants of one race or national origin over another.

Additionally, intentional discrimination in violation of the Act occurs if a housing provider treats individuals with comparable criminal history differently because of their race, national origin or other protected characteristic (i.e., disparate treatment liability). When it comes to excluding individuals for prior arrest, as the Supreme Court has recognized, "[t]he mere fact that a man has been arrested has very little, if any, probative value in showing that he has engaged in any misconduct. An arrest shows nothing more than that someone probably suspected the person apprehended of an offense."

Because arrest records do not constitute proof of past unlawful conduct and are often incomplete (by failing to indicate whether the individual was prosecuted, convicted, or acquitted), the fact of an arrest is not a reliable basis upon which to assess the potential risk to resident safety or property posed by a particular individual. For that reason, a housing provider who denies housing to persons on the basis of arrests not resulting in conviction cannot prove that the exclusion actually assists in protecting resident safety and/or property.

So, remember, judging just off arrests -- somebody gets held, arrests don't show anything after that. So by making your basis strictly on that, you could be excluding people for no reason. A housing provider must show that its policy accurately distinguishes between criminal conduct that indicates a demonstrable risk to resident safety and/or property and criminal conduct that does not. May want to consider the nature, severity, and recency of criminal conduct, make a case-by-case decision.

Reviewing criminal records and making the decision for rental applications on a case by case basis is the guidance of the federal government. So when it comes to this, just look at them all on a case-by-case basis. If you have a computer program that does all this stuff automatically behind the scenes, it could set you up for discriminatory complaints, because you were not looking, based on a computer algorithm, you could be excluding members of a protected class.

You could set yourself up for a discriminatory complaint. So always look at these on a case-by-case basis, which is the guidance of the law. So, as with everything, there are some exemptions. So when it comes to exemptions to the Federal and Texas Fair Housing Act, owners are exempt from the Fair Housing Act if it's a single family, the housing unit is a single family, the owner owns or holds interest in three or less units, and the owner rents or sells without an agent.

Now, of note, these exemptions are not available if an owner makes a discriminatory statement, notice or advertisement or engages in intimidation, interference, coercion, retaliation or harassment. So, this is a three or less property exemption here. If you own three or less, then you are exempt until such time as you make any kind of discriminatory statements, posts and advertisements, right. If you use an agent, now you lose this exemption is what it's saying, for the three or less property exemption.

Then you have if a housing unit is designed to be occupied by four or fewer families AND the owner lives in one of the housing units. The idea behind this, a boarding house. And the whole idea of Miss Murphy is a widower renting out the three upstairs bedrooms of her home. She can say who she wants to live in her things. That could be discriminatory. But, again, once that owner makes a discriminatory statement, notice, or advertisement, then they lose that exemption.

And they can't use, you know, a broker, agent, or licensed salesperson to rent out the homes -- the rooms in their upstairs home. You've got housing for the elderly is an exemption. And this is exempt only from the familial status protected class. So in a senior living community, again, it has to be intended for or solely occupied by persons 62 years of age or older. Or really, most of them fall into the second category, where 80% of the occupied units have at least

one person who is 55 years of age.

Those are the majority ones we see. A family can't come into a senior living complex and be like, I was told I can't rent in this complex because I have a family. Well, they have an exemption because 80% of the occupied units have at least one person who is 55 years of age or older.

>> Darus: One more quick thing about that, Jeff, is if you participate in TDHCA programs, you will want to check to make sure that the program that you are participating in, particularly if it is HUD-funded, does not have a requirement that you accept otherwise qualified households who may have a minor. So you may have to accept families. You may not have this exemption if you participate in one of our programs. So make sure that you check that.

Make sure you check your land use restriction agreement.

>> Riddle: All right. Thank you, Nathan. So, another exemption, religious organizations and private clubs are similar in ilk. If it's noncommercial housing operated by a religion organization, it may reserve it for members of that same religion, unless the religion itself is restricted because of race, color, or national origin, just those three protected classes. And the same, a private club that is not open to the public and that incidentally provides lodging, secondary to any of its other practices.

Other than for a commercial purpose, may limit the rental or occupancy of the lodge to its members or give them preference. An appraiser is not prohibited from considering factors other than protected classes in his or her appraisals. Both religious organizations and private clubs have many different variants in their properties, so they have to be looked at individually.

So it's still case by case when it comes to it. So, fair housing testing. In short, testing refers to the investigative tool of using individuals who, without any bona fide intent to rent or purchase a home, apartment, or other dwelling, pose as prospective buyers or renters of real estate for the purpose of gathering information; this information may indicate whether a housing provider is complying with fair housing laws.

And the reason why testing is done, right, is to gather evidence in regards to the manner in which housing providers do business regarding their availability, their qualification standards, design and construction compliance, treatment of home-seekers, discriminatory statements, patterns or behaviors to collaborate or refuse the experience of a complaint.

Testing investigations often provide the evidence that is needed by victims of housing discrimination to meaningfully pursue a complaint, suit or administrative hearing.

Testing can uncover and/or support systemic forms of housing discrimination that persist in harming individuals and communities.

Knowing that discrimination in housing, lending, and insurance exists and obtaining evidence with respect to discrimination in a specific case are two completely different things. In order for a complainant to prevail in a court case or administrative agency proceeding, competent evidence must be presented that shows a violation.

That a respondent's defense is pretext, discriminatory basis for actions, that false statements have been made, that a unit was available on a particular date, that steering or redlining has taken place, that people of protected groups have been treated differently than others, that a requested accommodation or modification has been denied although reasonable, that a property does not comply with the accessibility requirements of the Fair Housing Act or Texas Fair Housing Act or local law, that loans or insurance are available to people of protected groups on different and unfavorable terms than made available to people in other groups.

This is stuff testing could reveal that allows us to pursue complaints and make sure everybody is receiving equitable treatment, no matter their protected class. What properties can do to prepare for testing. Because testers are obviously not going to identify themselves, right. Properties can be informed and staff trained on fair housing laws and be sure to reflect this careful outlook and always review your policies, procedures, and make sure your employees are doing so as well and staying versed on any new changes.

If all prospects are treated equally as if they may or may not be testers, you'll help ensure that nobody violates any of the fair housing laws. So when it comes to complaints, if you have a complaint filed against you, you will be notified of the allegations in writing. You likely will be invited to mediate. If you decide not to, you may file an answer that is: in writing, under penalty of perjury, may be amended at any time.

Just know at any point in time, during a fair housing complaint investigation, conciliation where both parties come to a table and work through their issues is available at any point in time. If one party wants to conciliate and the other party doesn't, the investigation is going to continue. If both parties say we want to conciliate, the investigation is still going to happen in concurrence with the conciliation that's going on.

So everything will go concurrent, because if the conciliation cannot meet in the middle and have an agreement, then that investigation is still continuing and will be finalized at the end of that investigation. How do you file if you feel like you've been discriminated? How do you file a fair housing complaint? So, here you can send an email to housingcomplaint@twc.state.tx.us. that is going to be your best bet, especially in this day, still a lot of remote work going on.

You can fax. You can send letter mail. We still receive that.

There are still people working in the building that will process it. But the process will not be as fast as if you go send an email with all the pertinent information you see above, your name and address, name of the person who is making the complaint and who is the respondent of the complaint, and what the violation that is happening and the date of that violation.

You have one year after an alleged violation to file a complaint, but you should file it as soon as possible. I kind of jumped the gun a little bit, but here is the conciliation process again. It's free. It doesn't cost anything. Both parties must agree. It's confidential. While the conciliation process is going on, the investigator knows nothing of what is going on in conciliation. Even if no agreement is made, the investigator still will not know what was said during it. So everything said during conciliation is confidential.

The lawyer is not needed, but can be used. And again, it can happen at any time during the process. And it does not pause or halt the investigation. TDHCA complaint process, Nathan, if you would like to go through that.

>> Darus: Absolutely. So, according to Title X of the Texas Administrative Code, Chapter 1.2, the

Texas Department of Housing and Community Affairs has a process to address complaints about its properties and programs. Within 15 business days, the complainant will receive a response from the Department either that the complaint has been resolved or that it will be resolved by a certain date.

After that, the complainant will be notified about the complaint at least quarterly until final resolution. Luckily, I do believe that most of the time, most complaints are resolved before quarterly notification is even required, so.

>> Riddle: All right. And for training or technical assistance, you can contact the Texas Department of Housing and Community Affairs at one of the emails below. If you would like to reach out to us at the Civil Rights Division, you can email us. We all do trainings over fair housing. And we are more than welcome to assist you in anything you might need. And that brings us to the end of our presentation. I know we've been addressing questions during certain sections, but if we have any others?

>> Darus: Yeah. So, while I do have one question that I absolutely want to get to, but real quick, I do want to mention, we are going to have five more trainings. And they're going to cover topics from reasonable accommodations and modifications, assistance animals, affirmative marketing, language assistance plans, the Violence Against Women Act. Those will be coming up this month. So if you have questions specific to that, jump on those trainings.

They're going to be great. You're going to get to hear a lot more of me, probably more than you ever wanted to hear of me. I

apologize up front for that. So, with that out of the way, one of the questions that we did get early on, and I made a mistake. I thought we were going to cover it. If a tenant is a victim of family violence, what documentation do they need to provide to the landlord for HUD and private landlords to release the individual from the lease early?

And Jeffrey, I'm not going to make you catch that question. I'm going to go ahead and catch that one for you.

>> Riddle: Okay.

>> Darus: Unless you have the answer. But I went and pulled information from our upcoming training. So, it's important to note here that VAWA protections are not always -- don't always apply to private landlords. However, if they are a participant in a HUD program or in TDHCA's low-income housing tax credit program, then this is going to apply. But if a tenant or an applicant has identified themselves as a covered person who has experienced domestic violence, dating violence, sexual assault or stalking, the housing provider can request -- this is what the tenant would want to provide -- one of the following.

And these would need to be in writing. You can complete certification form, which is the HUD 5382 form. And if you need a copy of it you can search HUD 5382. If you're in a TDHCA-monitored property, you probably have received this multiple times. You get it whenever you sign a lease, whenever you resign a lease, whenever you receive any kind of notification about having to vacate or be evicted from.

You can complete that form, or you can sign a certification -- bring a signed certification by a victim service provider, attorney, medical or mental health professional, from whom you as the victim sought assistance. You can also bring a record of a federal, state, tribal, territorial or local law enforcement agency, court, or administrative agency that shows that you were the victim of violence -- domestic violence, dating violence, sexual assault, or stalking.

Or finally, you can provide a statement or other evidence provided by the applicant or tenant at the discretion of the housing provider. You know, there's always the possibility that there's something else out there that shows or proves that you have been the victim of family violence of some sort. So just because I didn't specifically list it here doesn't mean that it's not possible that that could be used.

Again, for more information on this, I do really recommend you come to the VAWA training. It's going to be far more detailed than I could possibly get into in a question and answer session. If this is a very new training for us, and I know that VAWA is a very -- it's an important topic. And we would love to see more people there, because it's important to get this information to as many people as possible.

We are getting some questions about what the VAWA training is. The Violence Against Women Act is legislation that essentially tries to add some protections to men or women. It is not specific to women. It just is in the name. Protections from being evicted, losing their housing, essentially, based upon being -- because they are a victim of domestic violence.

In this particular case, the person was asking about leaving the lease early without penalty. Another thing that happens is if it's -- you could have what's called a lease bifurcation where you split a lease between -- in a household. That's a little bit less common. And in some cases, it's simply you may be requested to ignore bad credit when you have an applicant or a criminal background if that criminal background or that credit history is specifically because or reasonably related to the fact that someone was a victim of some sort of domestic family, sexual violence or stalking or dating violence.

So that's what VAWA is. If you want to be included in the VAWA training, I am going to get a link. And I'll put it into the chat so that everybody has it available. So if you'd like to be added to that training, that's going to be the place to go. That will be coming in the chat in just a moment here. You should all get that link. Okay. That link has been sent. So, this will have -- I won't say all the answers. It will have lots of answers for you about VAWA, what those protections are, where they end, and, you know, what to do in that situation.

So, that is, I think, it looks like that's the end of the questions. I'm going to keep talking here for a minute just in case someone is doing some typing. And I don't want to cut anybody's questions off. But remember, if you do have questions, we can put up the training and technical assistance slide again real fast. Perfect. If you have questions, that phone number is my phone number, Nathan at the Texas Department of Housing and Community Affairs, a Fair Housing Research Specialist.

I monitor both of those emails. I'm not the only one, but I am the primary person. So I will be able to respond to you there as well. And as Jeff said, you can reach the Texas Workforce Commission. CRDTraining@TWC.State.TX.US. We haven't had any questions come in, so I am going to assume that that is all. We did get a specific question, but I am going to reach out to you individually, Mr. Chang, regarding this answer. I think we can wrap up.

Thank you, everybody, for joining us. Thank you, Jeff, for presenting for us, saving my voice for later this month so people can be haunted by it. And please join us for our other trainings. The link is in the chat. And the recording of this will be available as well. And I sent a link to that. Hope you all have a great day. And have a good one.

[End of Session, 3:49 p.m. CT]