

Opening Doors for All Missourians

Our homes are where the stories of our lives are written, where our children grow up, where we celebrate our personal milestones, and where many of our most cherished memories are made. Those who provide the space where our lives play out – landlords, developers, builders, property managers – contribute an extremely valuable service to our communities.

Most landlords and tenants have the same goal in mind: safe, quality housing at a fair-market-value cost. The Missouri Human Rights Act (MHRA) and the federal Fair Housing Act are in place to provide a framework for fairness, so that both parties understand their requisite rights and responsibilities. Fair housing laws, however, are on paper and only come to life in the day-to-day interactions between those offering and those seeking homes – and in real life, real questions about what is within the law can come up. The Missouri Commission on Human Rights (MCHR), the state agency that exists to answer those questions and to enforce the MHRA, offers these tips on following the law:

Protected Categories: Tenants cannot be turned away because of their race, color, national origin, religion, physical or mental disability, sex, or familial status. Refusing to extend a lease to a prospective tenant due to some legitimate, nondiscriminatory reason, such as bad credit, is permissible and does not violate fair housing laws if applied evenly.

Families with Children: The law protects familial status, meaning families with children younger than age 18 in the home, women who are pregnant, persons in the process of adopting a child, or anyone who is the legal guardian of a child, like a foster parent or grandparent. An overly cautious landlord may be tempted to refuse to rent a second-floor apartment with a balcony to a family because he fears it poses a danger to their toddler. But the landlord must check his protective instincts at the door; such a refusal is discriminatory because it springs from the fact that the would-be renters have a young child. MCHR also warns against stating a preference for students as tenants, as that could have the discriminatory impact of excluding families, as most students are persons without young children.

Gender Preferences: A preference that a resident be a male or female is forbidden, except in certain limited situations. Advertisements for roommates may specify gender, but only if the residence includes shared living space or if the housing is a dormitory in an educational institution. If there is no shared living space, gender may not be considered. For example, a female cannot be denied a basement apartment because the property manager feels her safety is at risk.

Advertising Property: Both state and federal law prohibits discriminatory advertising, and the advertisement *itself* is a violation of the law. Statements in ads that send a warning signal include: singles preferred; Hispanic area; perfect for the physically fit; Catholic church nearby. When using photographs of persons in ads for properties,

housing professionals should avoid using models of just one racial group, especially if there are several ads which run as a campaign. Ask yourself, “Would the ordinary reader construe the advertising as sending a message of preference for or against a particular class of home seekers?” If the answer is “yes,” the ad should be reworked. And always include HUD’s Equal Housing Opportunity logo in ads. After all, why not promote one more quality that makes your property a desirable place to live – that it is a residence where equal housing opportunity is valued!

Funding for the Show-Me Fair Housing Awareness Project, an educational campaign aimed at providing Missourians information about their rights and responsibilities under state and federal fair housing laws, is provided by the U.S. Department of Housing and Urban Development.

