

THE FEDERAL FAIR HOUSING ACT

The federal Fair Housing Act was enacted in 1968 and prohibits housing discrimination based on race, color, religion, sex, disability, familial status, and national origin.

For landlords, this means you must treat every applicant and resident equally, regardless of their background. Denying someone a lease or offering different terms can lead to legal issues. The law ensures fair access to housing and aims to eliminate discriminatory practices in every stage of the rental process.

ADDITIONAL PROTECTIONS IN WASHINGTON STATE Washington has taken the federal protections a step further. Under the Washington Law Against Discrimination, additional classes are protected, meaning landlords in the state must comply with an even broader set of anti-discrimination rules. These include:

- Marital status
- Military or veteran status
- Religion/Creed
- Sexual orientation

Washington's laws are enforced by the Washington State Human Rights Commission, and they are interpreted broadly to ensure housing access for all residents.

WHAT LANDLORDS ARE NOT ALLOWED TO DO

Understanding what constitutes housing discrimination is key.

HOW WE STAY COMPLIANT

1. USE OF STANDARDIZED SCREENING CRITERIA

We have a written set of screening criteria that applies to all applicants. This includes factors like income, credit history, rental references, and background checks. WMPPM makes sure to follow these standards consistently and the factors are applied to avoid claims of favoritism or discrimination.

2. KEEP ADVERTISING NEUTRAL

WMPM does not use wording that suggests a preference for certain types of tenants. Phrases like “perfect for young professionals” or “ideal for married couples” can unintentionally violate fair housing rules. Instead we focus on the features of the property itself, such as square footage, amenities and rental price.

3. RESPONSE TIME TO COMPLAINTS

If a resident files a complaint about discrimination or harassment, we take it seriously. We will investigate the matter, document our findings, and take appropriate action. Ignoring such complaints can make you and WMPM liable under **fair housing laws**.

4. RESPECT PRIVACY

WMPM is careful with sensitive personal information. We never ask questions about a tenant’s religion, relationship status, sexual orientation, or medical history. If a resident voluntarily shares information, we are still obligated to maintain their privacy and treat them without bias.

EXCEPTIONS TO FAIR HOUSING LAWS

While the Fair Housing Act and Washington’s laws are broad in scope, there are limited situations where certain exemptions may apply. These exceptions are narrow and should be approached with caution. Even if exempt under federal law, landlords may still be subject to Washington’s stricter rules.

OWNER-OCCUPIED BUILDINGS WITH FOUR OR FEWER UNITS

Commonly known as the “Murphy” exemption, this allows landlords who live in one of the units to choose tenants without being subject to all the provisions of the Fair Housing Act.

However, this exemption applies only at the federal level. Washington law may still require compliance, especially if the landlord engages in discriminatory advertising or uses a third-party agent.

RELIGIOUS ORGANIZATIONS OR PRIVATE CLUBS

If the property is owned by an organization that provided housing as part of their mission, the organization may give preference to members of their faith or club, as long as they do not discriminate based on race, color, or national origin. Still, these exceptions are rarely used in the private rental market.

HOUSING FOR OLDER PERSONS

Senior housing or retirement communities may lawfully exclude families with children, but only if they meet specific requirements under federal law. For example, a community that qualifies as housing for those 55 and older must ensure that at least 80% of its units are occupied by someone age 55 or older.

In general, if you're unsure whether your property qualifies for an exemption, it's safest to follow fair housing guidelines anyway. Many landlords assume they're exempt when they're not, or find that their **advertising practices** still place them in violation of the law.

BOTTOM LINE

The Fair Housing Act, combined with Washington's own laws, sets clear expectations for rental property owners. Landlords have both a legal and moral responsibility to ensure that everyone has access to safe, respectful, and nondiscriminatory housing.

KEY TAKEAWAYS

- **Washington Expands Federal Fair Housing Protections:** In addition to the federal Fair Housing Act, Washington state law includes broader anti-discrimination protections, covering marital status, military/veteran status, religion, and sexual orientation.
- **Discrimination Can Be Unintentional, but Still Illegal:** Even seemingly harmless actions can constitute discrimination if they treat someone differently based on a protected class.

Landlords must avoid bias in advertising, tenant screening, lease terms, and day-to-day interactions.

- **Compliance Requires Consistency and Awareness:** To stay compliant, landlords should use standardized screening criteria, avoid discriminatory language in ads, handle accommodation requests properly, and respond to complaints promptly.

Owning rental property in Washington comes with a set of legal responsibilities, including regulations for treating current and prospective residents fairly. The Fair Housing Act, alongside Washington's own anti-discrimination laws, sets clear guidelines landlords must follow to ensure equal opportunity in housing.