

# FAIR HOUSING

## Frequently Asked Questions

Q: May a landlord limit the number of children in an apartment?

A: No. Occupancy standards may establish the number of persons in a unit, but not the age of the occupants. Check with any local occupancy standards that pertain to the number of occupants for rental property. If there are no local ordinances, then the usual guideline is two persons per average-sized bedroom.

Q: May a landlord or newspaper advertise “No Children” or “Prefer Christian”?

A: No. No one may advertise or indicate a preference based on any of the protected characteristics.

Q: May a landlord refuse to rent to people because of their sexual orientation?

A: No. As of July 1, 2007, it is illegal in Iowa to refuse to rent to individuals because of their sexual orientation or gender identity.

Q: Who is responsible for the cost of a reasonable modification of the property, making it accessible to tenants with disabilities?

A: Modifications or changes to the property may be made by the tenant at the tenant’s cost. Many property owners opt to make the changes themselves because the changes may enhance the property for future occupants. An example would be grab bar installation in the washroom.

If the landlord wants the property to be returned to its prior condition (for example where a ramp is constructed into the dwelling) the law requires that the property be put back to the way it was prior to the modification. To cover the cost of this, the landlord may require an extra deposit to cover the reasonable costs of restoring the property. The landlord may not charge a higher general deposit to persons with disabilities, but an extra deposit specifically set aside to return the property to its original state may be charged.

Q: Who pays to make public and common areas accessible to those with disabilities?

A: Multi-family housing that was first occupied after March 13, 1991 should have been constructed with accessible units and public and common areas. If not, the units and common use areas may have to be changed at no charge to the tenant.

For older units, the tenant may have to pay for the changes. A change to a common use area does not have to be changed back.

Q: How can a tenant get a reasonable accommodation – a change in a rule, service, policy or procedure so that disabled tenants may have full use of the property?

A: A tenant must ask for a reasonable accommodation. The landlord is not responsible for suggesting an accommodation. A tenant needs to show that the change is needed so that she/he has an equal opportunity to use the dwelling. A tenant may need to have medical or doctor statements to support the request for accommodation.

Q: May a landlord charge Latino renters a higher deposit than Non-Latino tenants because of the landlord's belief that they might damage the unit more?

A: No. It is unlawful to charge different deposits based on any protected characteristic.

Q: May a landlord set a minimum income level to qualify for a property?

A: Yes. The standard should be used for all applicants, not just one group or another.

Q: May a homeowner decide to limit the potential buyers of their property to just one race of persons?

A: No. It is unlawful for a seller to restrict the sale of their house to a certain race of people or because of any other protected characteristic.

Q: Is it lawful for a real estate agent to show only certain properties or neighborhoods to potential renters or buyers because of race?

A: No. This action is called "steering". It is unlawful discrimination for an agent to restrict a client's housing search to a

neighborhood because of race or because of any other protected characteristic.

Q: May a loan officer offer a lower interest rate on home mortgages to white applicants but not others?

A: Financial institutions may evaluate a person's financial ability to pay back a home loan, but all decisions affecting the loan – including the interest rate, points, and other fees – should not be based on race or any other protected characteristic.

Q: My landlord refuses to repair the furnace in the house I rent, and I never know if I will have heat or not. Can I just stop paying rent to force him to make the repair?

A: This is not a fair housing issue, unless the landlord is targeting you in some way because of a protected characteristic. This is a situation covered by the Iowa Landlord Tenant Law, which specifies a procedure to follow to require the landlord to make necessary repairs to the property. You may want to contact Iowa Legal Aid at (515) 243-2151 or toll free: 1 (800) 532-1275

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