

## Property Owners, Students, and Fair Housing

By Judith Johannsen

Connecticut is home to several universities and colleges, and while most students live on-campus, many rent a place to live off-campus. The problem that frequently arises, however, is that many owners/landlords do not want college-aged students as tenants, fearing noisy, late night parties, too many cars, and property damage.

When landlords automatically reject college-aged tenants, they have forgotten a most important detail - there are fair housing laws, federal and state, that prohibit discrimination against certain classes of people.

Under Connecticut's fair housing laws, discrimination based on age and marital status is prohibited, so, if an owner's or a group of owners' policy is not to sell or rent to students, that could be the basis for a claim of discrimination in housing.

Here's a recent example. A father purchased a home in a university town for his son to have a place to live while attending school. The neighbors, unhappy that this property had been sold to an investor, advocated for everyone to sell only to buyers who would live in their neighborhood, as opposed to investors who would rent out the property. A neighborhood newsletter asked if anyone was interested in organizing a "welcoming" party for the student.

What the newsletter writer apparently did not know was that it is a violation of CT's fair housing laws (CGS Section 46a-64c) to "intimidate, threaten or interfere with any person in the exercise or enjoyment of ... any right granted or protected by the fair housing statutes". "Welcoming" this student sounded more like intimidation or a threat than a warm reception.

A copy of the newsletter made its way to the desk of Attorney Robert Zamlowski at Connecticut's Commission on Human Rights and Opportunities ("CHRO") in Hartford whose response to the neighborhood group was clear – "[w]hile Connecticut's fair housing laws do not directly prohibit a seller from choosing a buyer who intends to live on the property, as opposed to one who is buying the house for investment purposes, some of the actions urged in the newsletter can cause sellers fair housing problems".

Attorney Zamlowski went on to say that "it is illegal to directly or indirectly deny a sale of property based upon any of the protected class bases in State fair housing laws".

Another example of discrimination that arose in a CT university setting was reported in the July 2002 National Fair Housing Advocate. The article reported that three male college students in Fairfield County found an off-campus single family house for rent, but the landlord told the student's agent he did not want kids, he wanted a woman who would take care of the property.

The landlord rejected the three students because of insufficient documentation of income, but they believed that was just a pretext for the real reason - their age and sex. They filed a complaint with CHRO, which found reasonable cause that the landlord discriminated against the three male students, and the landlord was ordered to pay \$7,000 in settlement.

We all want to believe that discrimination in housing disappeared when fair housing became law, that no one is ever discriminated against in the housing market, and everyone gets the dwelling they want and can afford. The reality is that sellers and landlords still try to get what they want, which is not always what the law allows.

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