Fair Housing Tools for Stability: Strategies and Best Practices to Prevent Homelessness and Evictions

Presented by the Fair Housing Center of Washington, Seattle Office for Civil Rights, and Northwest Fair Housing Alliance

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Agenda

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02 Background and Problem Statement

03 Scenarios

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05 Why It Matters

Icebreaker

Icebreaker: What does an Eviction look like?

- What words do you associate with “Eviction”??
- What does it mean for the **Resident**?
- What does it mean for the **Housing Provider**?

What does an Eviction look like?

For Renters:

- Uprooting
- Uncertainty
- Lost housing opportunity
- Instability
- Anger/ Frustration/ Stress
- Legal Complications

For Housing Providers:

- Administrative Burden
- Lost Income
- Cash Flow Constraints
- Vacancy
- Loan Complications

Washington Housing Snapshot

Demographics, cost, and homelessness

Washington at a Glance

~7.8M

residents statewide, concentrated in the Puget Sound region

~36%

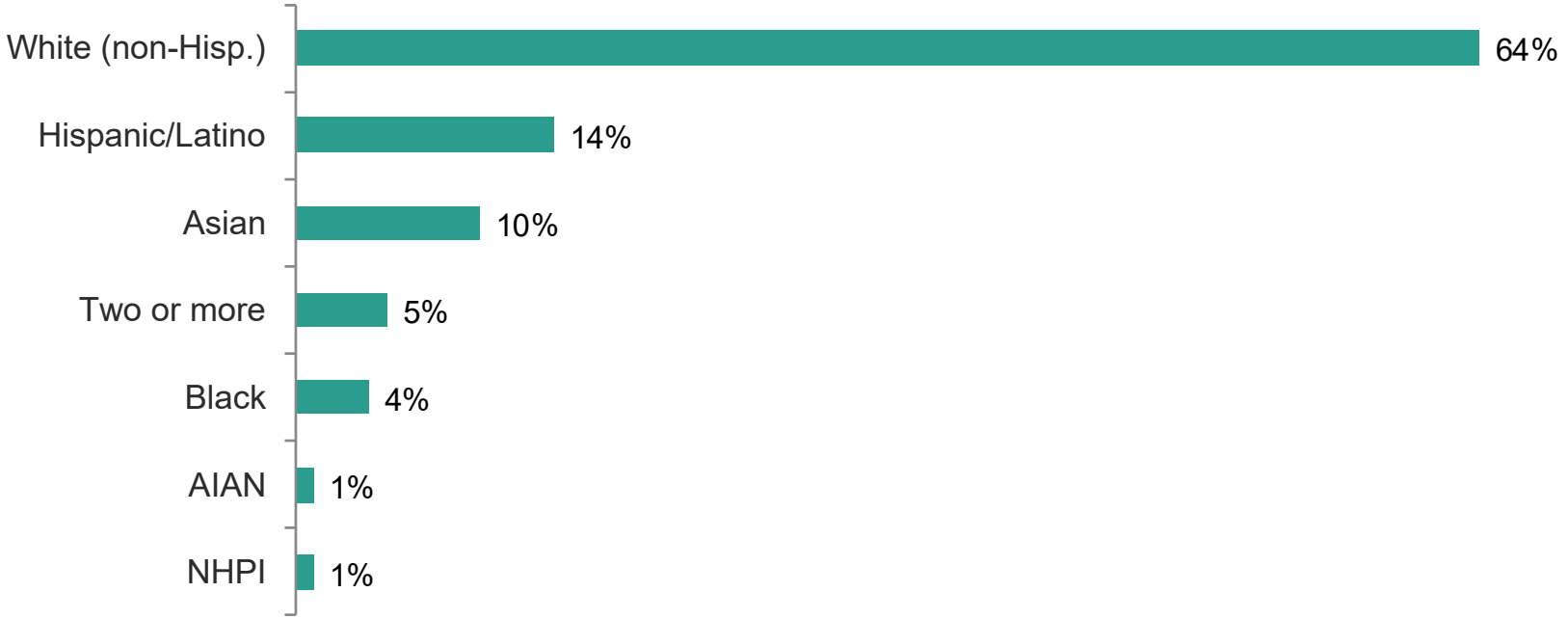
of households rent their homes

~13%

of residents report a disability

Source: U.S. Census Bureau ACS and OFM

Who lives in Washington: race and ethnicity



Source: latest ACS data

Tenure and the homeownership gap

- Most Washington households own, but renting is the norm in cities like Seattle, Tacoma, and Spokane
- White households own at markedly higher rates than Black, Hispanic, and Native households
- Renters skew younger, lower income, more diverse, and more likely to include a person with a disability
- Renter status means more exposure to rent increases and eviction

Cost burden and supply

~50%

of renter households pay over 30% of income on housing

1.1M

new homes projected as needed statewide by 2044 (Commerce / HB 1220)

$1,600+

statewide median gross rent, far higher in King County

Scarcity gives landlords more screening power and raises the stakes of every discrimination or accommodation dispute.

Burden for Housing Providers and Developers

6.9%

Puget Sound multifamily vacancy rate, Q2 2026 (down from 7.1% in Q1 and 7.3% in Q4 2025)

~$12M

Landlord Mitigation Program account amounts in OFM state budget documents (about $11.6M to $12.1M); a live balance is not publicly posted

6.1%-9.3%

Indicative construction loan rates: HUD 221(d)(4) near 6.1%, community banks about 8.75%-9.25%, hard money up to 12%

Sources: Lee & Associates Q2 2026 (vacancy); WA OFM budget detail and Commerce (fund); apartmentloanstore.com rates as of 9/12/2026. Confirm the fund balance with Commerce (LandlordFund@commerce.wa.gov) and rates with lenders before presenting.

Homelessness in Washington

~28K

people counted homeless on a single night in recent Point-in-Time counts

2-6x

overrepresentation of Black, Native, and Pacific Islander residents in homeless counts

Many

people experiencing homelessness report a disability

Who is most at risk of eviction?

- Extremely low-income renters and households of color
- Households with disabilities, seniors, and survivors of domestic violence
- Families with children and households with limited English proficiency
- Voucher holders and others relying on subsidy or benefits timelines

The legal framework

- Federal Fair Housing Act: race, color, national origin, religion, sex, familial status, disability
- Washington Law Against Discrimination (RCW 49.60) adds sexual orientation, gender identity, marital status, military/veteran status, and more
- State law bars source of income discrimination (RCW 59.18.255)
- Washington requires just cause for evictions and funds tenant right to counsel

Fair Housing Applies To:

- Property owners
- Property managers
- Leasing agents
- Real estate agents
- Mortgage lenders
- HOA board
- Contractors
- Screening services
- Maintenance staff

Covered Property Types Include:

- Apartments
- Houses
- Condos
- Rooming houses
- Transitional housing
- Mobile home parks
- Cooperatives
- Some shelters

Barriers Identified in Analyses of Impediments

What local fair housing reports keep finding

What is an Analysis of Impediments (AI)?

- A review of local laws, practices, and data that limit fair housing choice
- Required for HUD grantees to affirmatively further fair housing (AFFH)
- Combines Census, lending, complaint, and zoning data with community input
- Washington cities, counties, and housing authorities publish them, often as part of Consolidated Plans

Theme 1: Affordability and supply

- Rents and prices outpace wages, shutting out lower-income protected classes
- Too few units for large families and extremely low-income households
- Waitlists for subsidized housing run for years
- Shortage magnifies the impact of any denial or eviction

Theme 2: Discrimination and source of income

- Fair housing testing and complaints show differential treatment by race, national origin, and disability
- Voucher holders face blanket refusals and "no subsidy" screening shortcuts
- Income and credit minimums screen out many protected households
- Discrimination is often subtle and goes unreported

Theme 3: Disability access

- Very few units are accessible or visitable, especially for older housing stock
- Disability is among the most common bases for fair housing complaints
- Requests for accommodations are denied, ignored, or delayed
- Tenants often do not know they can request changes

Theme 4: Language access and immigrant households

- Limited English proficiency residents struggle to read leases, notices, and applications
- Lack of translated materials and interpreters leads to missed deadlines
- Fear of retaliation or immigration consequences suppresses complaints
- Notices of eviction can be missed or misunderstood

Theme 5: Zoning and land use

- Single-family-only zoning limits affordable and multifamily housing
- Local opposition and parking or density rules constrain group homes and supportive housing
- Siting patterns concentrate affordable units in lower-opportunity areas
- State reforms such as HB 1110 and HB 1220 aim to open options

Theme 6: Lending and homeownership

- HMDA data show denial rate gaps by race and ethnicity
- Historic redlining and restrictive covenants shaped today's wealth gaps
- Down payment barriers limit first-time buyers of color
- Fewer owners of color means more long-term renters at displacement risk

Theme 7: Displacement and gentrification

- Rising rents push out long-time residents, especially communities of color
- No-fault terminations and large rent increases drive moves
- Displaced households lose schools, jobs, and community networks
- Many move to higher-poverty or distant areas, or into homelessness

Theme 8: Enforcement and awareness gaps

- Landlords, tenants, and staff lack fair housing training
- Few residents know where to file complaints or find legal help
- Under-resourced enforcement and testing programs
- Small landlords may not know accommodation duties

Scenarios: Unresolved Problems

How barriers turn into evictions

Scenario 1: Family told it has too many people

What happens

A couple with three children, including a newborn, lives in a two-bedroom unit. The new manager says the family exceeds occupancy limits and demands that the oldest child move out or the family leave.

Eviction risk if unresolved

A lease violation notice follows. If the family cannot move quickly in a tight market, a termination notice and a filing can result.

What is the Fair housing response?

Scenario 2: Domestic violence survivor and "nuisance" calls

What happens

A tenant calls police after repeated assaults by a partner. The landlord counts the calls as nuisance violations under the lease.

Eviction risk if unresolved

Strikes accumulate toward a lease termination, punishing the victim and risking sex discrimination under the FHA and VAWA protections.

What is the Fair housing response?

Scenario 3: Limited English family receives a rent increase

What happens

A Spanish-speaking family receives an English-only notice for a large rent increase and later a notice about a lease violation. They do not understand the deadlines.

Eviction risk if unresolved

They miss the response window, a default judgment is entered, and the family loses the home with a judgment on their record.

What is the Fair housing response?

Best Practices in Reasonable Accommodations

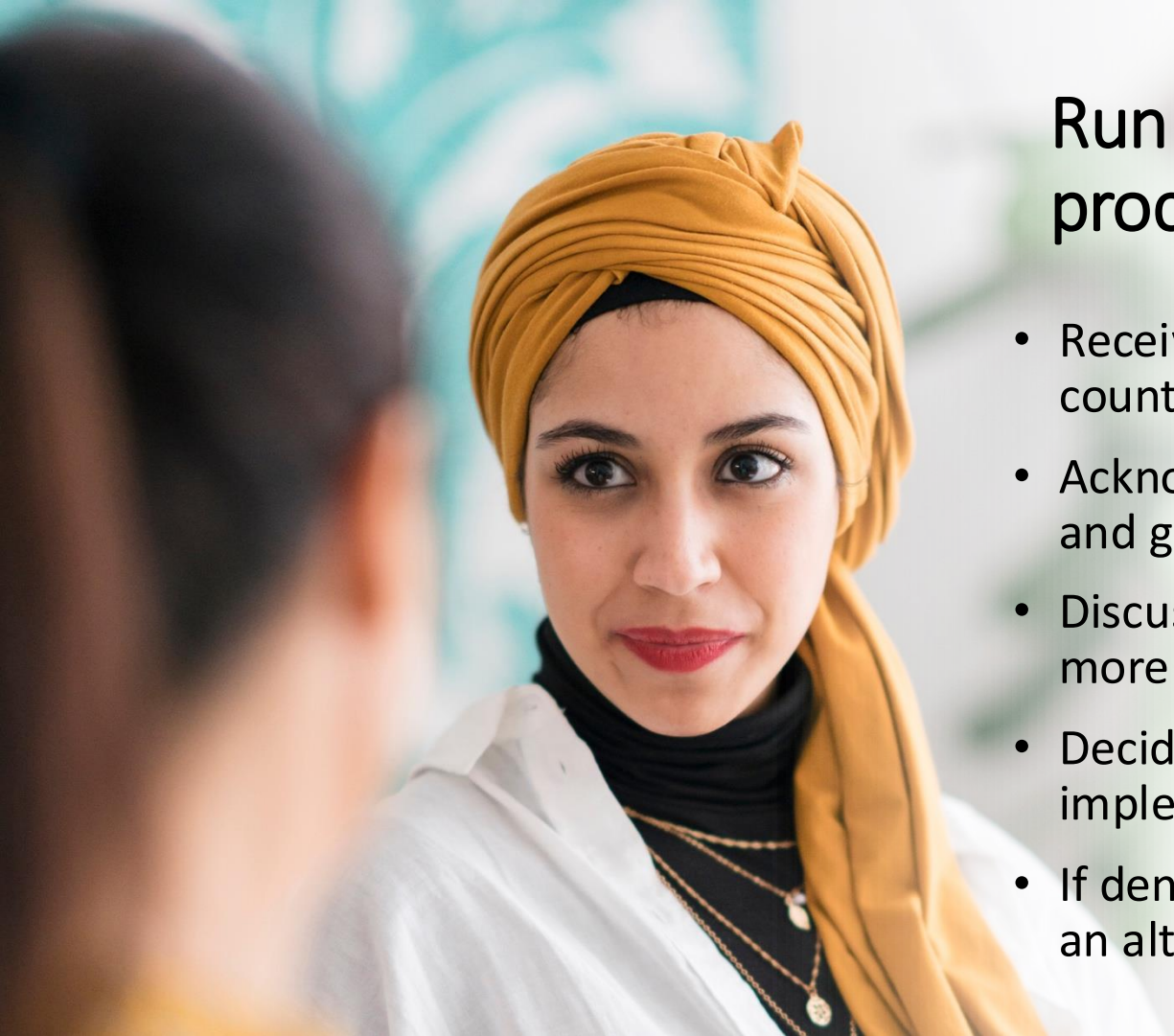
Resolving requests before they become violations

Accommodation vs. modification

- Reasonable accommodation: a change in a rule, policy, practice, or service (e.g., assigned parking, payment date, assistance animal)
- Reasonable modification: a physical change to the unit or common area (e.g., grab bars, ramp)
- Federally assisted housing providers generally pay for structural changes; private landlords typically allow tenant-paid ones
- Both are required to afford equal opportunity to use and enjoy a dwelling

The legal test

- The person has a disability under the law
- The request is related to the disability (nexus)
- The accommodation is reasonable: no undue financial or administrative burden and no fundamental alteration of the program
- Housing providers can propose alternatives that still meet the need



Run an interactive process

- Receive: any form or wording counts, including verbal requests
- Acknowledge promptly in writing and give a response timeline
- Discuss options with the tenant if more information is needed
- Decide, document, and implement quickly
- If denying, explain why and offer an alternative

What providers may and may not ask

- May ask for information to verify a disability-related need when it is not obvious
- May not demand diagnosis, medical records, or a specific form
- Reliable verification can come from a health provider, peer support, or agency
- Keep information confidential and separate from tenant files

Assistance animals

- Service animals and emotional support animals are both considered under the Fair Housing Act
- No pet fees, deposits, or breed and weight limits for assistance animals
- Tenants remain responsible for damage and behavior
- Denial is justified only for direct threat or undue burden, supported by individualized evidence

Accommodation and Modification Process

Accommodation or Modification Request

May be written or verbal

Interactive Dialogue

Ongoing conversation about the requested accommodation

Documentation

Third-party verifying disability and accommodation if necessary

Effective Solution

Must accommodate person's disability-related need

PRACTICE TIPS

1. Interactive dialogue
2. Do not delay
3. Respond to each request
4. As needed, request documentation related to the disability-related need
5. follow-up on the accommodation

Source: Seattle Office of Civil Rights

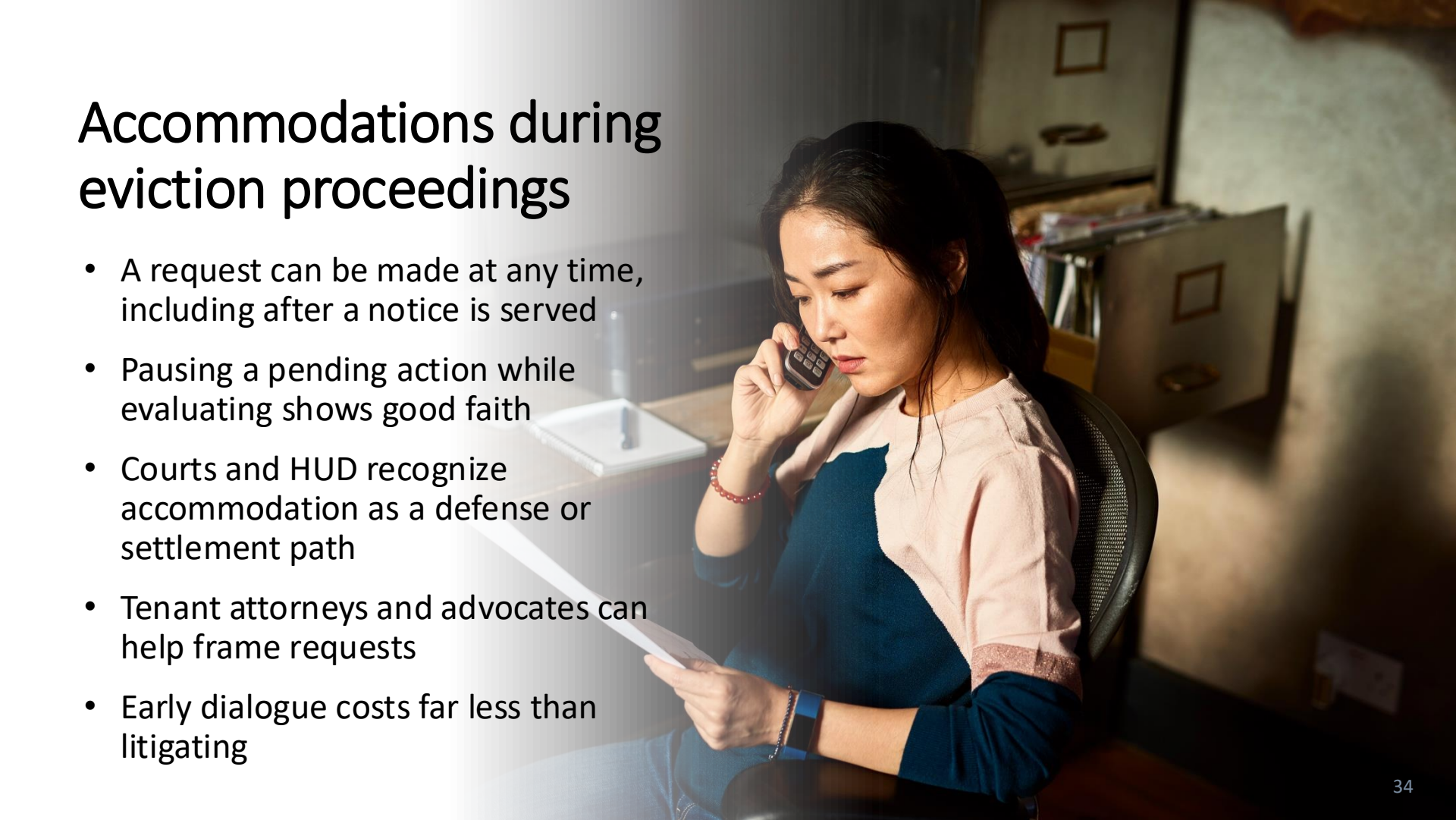
Common accommodations that prevent eviction

- Flexible rent due dates or payment plans tied to disability income
- Waived late fees after a documented disability-related event
- Reserved accessible parking or ground floor transfer
- Extra time and plain-language or alternate format notices
- Contact with a designated support person for notices



Accommodations during eviction proceedings

- A request can be made at any time, including after a notice is served
- Pausing a pending action while evaluating shows good faith
- Courts and HUD recognize accommodation as a defense or settlement path
- Tenant attorneys and advocates can help frame requests
- Early dialogue costs far less than litigating



Scenario 4: Late rent after a disability-related hospitalization

What happens

A tenant with a chronic illness is hospitalized and misses the rent due date. Her sister asks the landlord to accept the payment a week late and explains the hospital stay.

Eviction risk if unresolved

Landlord serves a 14-day pay or vacate notice, then files an unlawful detainer. Late fees pile up while she recovers.

What is the Fair housing response?

Scenario 5: Emotional support animal denied

What happens

A tenant with PTSD gets a dog on a doctor's recommendation. The property manager cites a no-pets policy and demands the pet deposit and a $50 monthly fee.

Eviction risk if unresolved

Unpaid pet fees become a lease violation, with a notice to comply or vacate and a threat of eviction for keeping the animal.

What is the Fair housing response?

Scenario 6: Deaf tenant and missed notices

What happens

A Deaf tenant is told to call the office for repairs and payment problems. Notices are left on the door with no text or video relay option and a payment issue goes unaddressed.

Eviction risk if unresolved

She misses a deadline she did not know about, and a pay-or-vacate notice proceeds to court without her having a fair chance to respond.

What is the Fair housing response?

Best Practice: Provider policies and training

- Adopt a written reasonable accommodation policy and post it
- Train leasing, maintenance, and legal staff on how to recognize a request
- Designate a point person and a tracking log
- Use standard but not mandatory request forms
- Review denials for risk, and connect tenants to resources

The Benefits of Fair Housing Compliance on Housing Stability

For households, housing providers, and communities

Benefits for households

- Better health outcomes, fewer ER visits, and better chronic disease management
- Children stay in school and perform better with fewer moves
- Job retention and income growth improve with a stable address
- Eviction records follow tenants and limit future housing choices
- Stability protects survivors and people in recovery



Benefits for providers and communities

- Eviction and turnover cost providers months of rent plus legal and unit prep expenses
- Retaining tenants reduces vacancies and marketing costs
- Shelter, hospital, and emergency response costs fall as stability rises
- Neighborhood cohesion and greater economic mobility
- Preventing one eviction is usually cheaper than serving one household in homelessness

Action steps and resources



Know the law: WA Attorney General Civil Rights, WA Human Rights Commission, HUD FHEO



Utilize local fair housing groups, including Fair Housing Center of Washington and Northwest Fair Housing Alliance and Seattle Office for Civil Rights



Tenant help: Northwest Justice Project, Washington Law Help, Eviction Defense Right to Counsel



Respond to requests within days, document everything, and ask for help early

You shape the front door of housing access

We need:

- Consistent, fair screening criteria that are applied uniformly
- Training that goes beyond compliance and into bias recognition.
  - A good process will beat out good judgment every single time.
- Full participation in source-of-income acceptance policies where required or adopted
- Reasonable accommodation practices that are timely and respectful
- Clear accountability systems for discriminatory behavior within organizations

Please Contact Us for Fair Housing Support

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