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find the article at: "<http://www.car.org/legal/recent-news-laws/2016news/banrentcriminals/>"

Member Legal Services

Tel (213) 739-8282

Fax (213) 480-7724

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Blanket bans on renting to criminals violates fair housing laws says HUD Secretary

Julián Castro, the HUD secretary, is expected on Monday to announce [guidance](#) that details his agency's interpretation of how the fair housing law applies to policies that exclude people with criminal records. Federal officials said landlords must distinguish between arrests and convictions and cannot use an arrest to ban applicants. In the case of applicants with convictions, property owners must prove that the exclusion is justified and consider factors like the nature and severity of the crime in assessing prospective tenants before excluding someone.

"Policies that exclude persons based on criminal history must be tailored to serve the housing provider's substantial, legitimate, nondiscriminatory interest and take into consideration such factors as the type of the crime and the length of the time since conviction," the guidance reads.

The new federal housing guidance applies [a legal standard that was upheld](#) by the United States Supreme Court last year that allows plaintiffs to challenge housing practices that have a discriminatory effect without having to show discriminatory intent. The ruling allows plaintiffs to show instead that the practices both have a "disparate impact" on racial groups and are not justified.

Source: The New York Times. See, http://www.nytimes.com/2016/04/04/nyregion/federal-housing-officials-warn-against-blanket-bans-of-ex-offenders.html?smid=tw-share&_r=2 for the full article.

See the HUD Guidance document here: http://portal.hud.gov/hudportal/documents/huddoc?id=HUD_OGCGuidAppFHASStandCR.pdf.