



Refugee Housing
SOLUTIONS



Landlord Toolkit



Refugee Housing Solutions is a project of CWS
under an agreement paid for by the U.S. Department of State.

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Introduction

The U.S. welcomes many refugees and other newcomers in response to world crises. Refugee Housing Solutions (RHS) is an innovative project of Church World Service (CWS) in response to the challenges and opportunities of welcoming these individuals and families to the U.S.

RHS stands ready to support landlords, property managers, and other housing providers in renting to refugees and other newcomers. RHS seeks to answer the questions and address the concerns of housing providers, and RHS staff understands that well-informed and well-intentioned housing providers are essential for renting successfully to all newcomers. RHS offers technical assistance (TA) to help interested parties navigate the resettlement process and to understand the benefits and support available when renting to newcomers.

Purpose of the Landlord Toolkit

Are you a landlord, property manager, or other housing provider interested in offering affordable housing to refugees and other newcomers but need assistance understanding the resettlement process? Then this toolkit is for you.

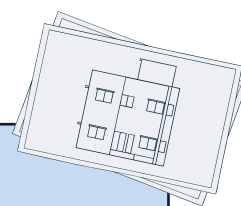
RHS is designed to support all stakeholders, especially landlords, property owners, and other housing providers, in being intentional and diligent when renting to refugees and other newcomers to the U.S.

Housing providers will find information in this toolkit that demystifies the resettlement process while explaining the benefits of renting to newcomers. The toolkit also shares ideas about ways to make rental operations culturally friendly for all newcomers during the lease term.

Disclaimer

The contents of this toolkit are intended for informational purposes only and should not be relied upon as legal advice.

Refugee Housing Solutions makes no claims or guarantees of the completeness or accuracy of the information herein. Nothing contained in this toolkit constitutes an endorsement or recommendation of any organization. Please consult your legal department or a licensed attorney if you need legal advice.



About Refugee Housing Solutions

It is no secret that safe, stable, healthy, affordable housing builds stronger communities. Unfortunately, the U.S. is in a housing crisis that has caused a rental housing shortage for Americans as well as newcomers. The crisis affects different locations around the country in different ways, but it is generally forcing low-income families -- including newcomers -- to spend more than half their earnings on housing.

Faced with soaring rents, refugees and other newcomers are struggling to find housing: the foundation for rebuilding their lives in their new communities. Newcomers are not alone in their housing search. But even with social service agency support, the challenge remains.

In searching for safe, affordable homes, newcomers find that the complexities of stringent American rental requirements create additional barriers. With the housing crisis and other rental market barriers in mind, RHS and others in the refugee-welcoming community agree that interagency partnerships and collaborations are needed to address the crisis.

CWS is a faith-based organization working to help communities around the world find sustainable responses to hunger, poverty, displacement, and disaster. RHS is a project of CWS designed to increase access to safe, sanitary, and affordable housing for refugees and other newcomers. This project reinforces our belief that everyone deserves a safe place to call home.

With funding from the U.S. State Department Bureau of Population, Refugees, and Migration (PRM), RHS provides resources and one-on-one technical support to all 10 national resettlement agencies and their more than 300 affiliates across the country.

A vital RHS component is the educational tools and training materials developed for landlords, property managers, other housing providers, and even many in the hospitality industry who have stepped up to help welcome and house many newcomers. RHS is designed to facilitate the creation of solutions to help break down the barriers that prevent newcomers and refugees from securing affordable housing.

The Resettlement Process

As a landlord or other housing provider, you may be interested in renting to refugees or other newcomers but want a better understanding of the resettlement process. This section briefly summarizes that process and outlines the organizations involved in the effort.

What is Resettlement?

In the context of welcoming refugees and other newcomers worldwide, resettlement is the word used to describe the movement of refugees and other eligible people from their country, where they sought protection from a foreign government or humanitarian organization like the United Nations, to a third country that permits them to stay for short-term asylum or long-term or permanent residence status. It is a solution that protects asylum seekers, refugees, and others with well-founded fear of harm in their home country. The process helps people move, protects them from forced return, and gives them access and rights in the resettlement country.

Durable Solutions

To be legally considered a refugee, the individual must first register with the United Nations High Commissioner for Refugees (UNHCR) in their fled country. UNHCR is mandated to provide international protection to refugees. UNHCR then works with recognized refugees to secure the best possible durable solution for each refugee. There are three durable solutions available to refugees:

- **Volunteer Repatriation:** refugees return in safety and with dignity to their country of origin
- **Local Integration:** refugees legally, economically, and socially integrate into the host country
- **Resettlement:** refugees are transferred from a country in which they have sought protection to a third country that has agreed to admit them as refugees

Only a small percentage of the refugee population is referred for resettlement and being referred by UNHCR does not guarantee that refugees will be resettled. The decision to accept a refugee remains in the hand of the resettlement country.

How Does the Resettlement Process Work in the U.S.?

The U.S. uses a stringent vetting procedure to decide whether to accept people seeking resettlement. The customary process involves the steps in the illustration below:



Courtesy of UNHCR

However, recent years of extraordinary situations for Afghans and Ukrainians, as well as other asylum-seeking groups, have warranted some modifications.

In addition to this vetting process, which the RHS team can expand on or explain further during a one-on-one technical assistance session, there are multiple organizations and government agencies involved in resettlement as well as specific legislation and policy enacted which informs resettlement in the U.S.

What is the Presidential Determination for Refugee Admissions?

The U.S. has a history as a haven for people seeking better lives, whether that means they are fleeing war and violence in their home countries or escaping harm and persecution. But have you ever wondered how the U.S. determines how many refugees and others can resettle here each year? The [Refugee Act](#) passed by Congress in 1980 provides a road map of the Presidential Determination on Refugee Admissions (PD).

Federal law requires that every year prior to October 1 the President, in consultation with Congress, set and formally sign the PD for the new government fiscal year refugee admission goal and cap.

Resettlement Process and Partnering Agencies

Resettlement is a coordinated effort led by UNHCR, non-governmental organizations (NGOs), government agencies, and other entities.

The process includes specific actions, from identifying which refugees and other newcomers might qualify for resettlement to screening those individuals in a detailed and months-long vetting process to processing those determined to be entitled to refugee or other protective status, and then preparing for their reception and integration alongside other refugees and newcomers into the U.S. Here is a list of key national and state government and nonprofit partner agencies involved in the resettlement process.

National and State Government Partners

- **U.S. Department of State Bureau for Population, Refugees, and Migration (PRM)**

The Bureau of Population, Refugees, and Migration provides aid and sustainable solutions for refugees, victims of conflict, and stateless people around the world through repatriation to their original home when deemed safe and in the best interest of the person or family, local integration to another location in their home country, or resettlement after vetting to ensure qualification in the U.S. PRM also promotes U.S. population and migration policies.

- **United States Citizen and Immigration Services (Department of Homeland Security)**

U.S. Citizenship and Immigration Services (USCIS) is the government agency that oversees lawful immigration to the United States.

- **State Refugee Coordinators**

- **State Health Coordinators**

- **Office of Refugee Resettlement (Department of Health and Human Services)**

The Office of Refugee Resettlement (ORR) provides newcomers to the U.S. with the opportunity to maximize their potential in their new country. RHS and other CWS programs, alongside those of other resettlement organizations, provide all newcomers – refugees and others – with critical resources to assist them in integrating into American society and their new communities.

- **Refugee Council USA (RCUSA)**

RCUSA is a coalition of organizations committed to welcoming and protecting refugees and other newcomers to the U.S.

- **InterAction**

InterAction is the largest alliance of U.S.-based international NGOs, including those that focus on refugee support, protection, and welcoming.

- **Refugees International (RI)**

RI is an organization that advocates for lifesaving assistance and protection for displaced people and promotes solutions to displacement crises.

- **Cultural Orientation Resource Exchange (CORE)**

CORE is a technical assistance program designed to support and strengthen the linkages between refugees' and others' pre-departure from their countries of origin and the post-

arrival cultural orientation programs that exist for those who complete the first part of their journey to resettle in the U.S.

Intergovernmental Partners

- **International Organization for Migration (IOM)**

IOM works to help ensure the orderly and dignified management of migration, including direct support to people emigrating to the U.S. as refugees and other protected populations. For example, IOM helps secure their plane tickets and travel documentation and accompanies them on flights. Beyond this practical support, IOM promotes international cooperation on migration issues, engages in the search for practical solutions to migration challenges, and provides humanitarian assistance to migrants in need, including refugees and internally displaced people.

- **Resettlement Agencies (RAs)**

In the U.S., 10 RAs are responsible for the practicalities and logistics of placing refugees and other newcomers in the communities to which they will be settled. RAs work in partnership with local affiliates for services. PRM (State Department) agreements with RAs specify the services the agency will provide, which vary among different populations. For most refugees, there is a Reception and Placement (R&P) program that provides RAs a one-time payment per refugee to help with expenses during the refugee's first three months in the U.S. The expectation is that each RA will provide additional resources and support to supplement federal government funding. Currently, the 10 RAs are:

1. **Bethany Christian Services (BCS)**
2. **Church World Service (CWS)**
3. **Episcopal Migration Ministries (EMM)**
4. **Ethiopian Community Development Council (ECDC)**
5. **Hebrew Immigrant Aid Society (HIAS)**
6. **International Rescue Committee (IRC)**
7. **Lutheran Immigration and Refugee Services (LIRS)**
8. **U.S. Committee for Refugees and Immigrants (USCRI)**
9. **United States Conference of Catholic Bishops (USCCB)**
10. **World Relief Corporation (WR)**

Each RA has dozens of local partner agencies nationwide working to ensure that arriving refugees and other newcomers receive all federal support to which they are eligible. All RAs and affiliates also work with local and state government partners and community organizations and individuals to ensure material and social welcome to all newcomers. A list of affiliate resettlement offices can be found in the [USRAP Affiliate Directory](#).

Refugee Status Determination

By knowing if an individual is an asylee, humanitarian parolee, or refugee, a landlord or other housing provider can understand the type of government assistance (monetary benefits and services) for which a newcomer qualifies.

Who is a Refugee, Asylum Seeker, or Humanitarian Parolee?

- **Refugee**

Per UNHCR, a refugee is someone who has been forced to flee his or her country because of persecution, war or violence. A refugee has a well-founded fear of persecution for reasons of race, religion, nationality, political opinion or membership in a particular social group. Most likely, they cannot return home or are afraid to do so. War and ethnic, tribal, and religious violence are leading causes of refugees fleeing their countries.

- **Asylum Seeker**

When people flee their own country and seek sanctuary in another country, they apply for asylum – the right to be recognized as a refugee and receive legal protection and material assistance. An asylum seeker must demonstrate that fear of persecution in their home country is well-founded.

- **Humanitarian Parolee**

For some people who are neither verified refugees nor official asylum seekers, the U.S. grants humanitarian parole. In 2021 and 2022, many Afghans and Ukrainians who were forced to leave their homes were granted this status which allows those who may be otherwise ineligible for admission into the U.S. to be here temporarily due to urgent humanitarian reasons or significant public benefit. Typically, this type of parole is for two years unless circumstances require another timeframe. For example, as of October 2022, all Afghan parolees are being considered for extended permission to stay in the U.S. since they cannot return to Afghanistan. Also being explored are pathways for them to attain permanent residency, if not citizenship.

Benefits of Renting to Refugees and Other Newcomers

As a landlord or other housing provider, your livelihood is tied to the success of your tenants' rental tenure. With this in mind, at least one of your primary objectives is to rent your property to responsible long-term tenants. Now, the question is, *"Why rent to refugees or other newcomers to the U.S.?"* Rent to refugees and other newcomers because they:

- Are among the most vetted people arriving in the U.S. from other countries. They are interviewed, screened for health, education, and criminal history, reference-checked, and then documented as qualified to come to the U.S. After this, they participate in cross-cultural education and training with various resettlement organizations, including U.S. Citizenship and Immigration Services (USCIS) and the United Nations High Commissioner for Refugees (UNHCR), before arriving in the U.S.

- Receive official identity documents, social security cards, and photo identification and have access to additional government identification issued by the U.S. Customs and Border Protection (CBP) and USCIS if needed.
- Are expected to work if able and have documentation required to do so legally.
- Receive case management support, financial assistance, job interview preparation, and employment leads and support through local social service and resettlement agencies. Depending on their legal designation when coming to the U.S., newcomers have access to these services for a minimum of 30 days and up to five years.
- Seek stability in their new lives and, as such, are often long-term tenants.
- Prove themselves as hard-working community members eager to build positive, productive new lives for their families and to contribute to their new communities.

What Renting to a Newcomer Looks Like for Landlords and Other Housing Providers

- Because refugees and other newcomers often seek stability through secure housing, landlords and other housing providers can benefit from fewer vacancies and shorter vacancy periods when they rent to newcomers.
- Due to extensive case management and myriad support, including employment placement, community building, and rental preparation such as an overview of lease and renter responsibilities and help with housing set-up, landlords and other housing providers receive rent-ready tenants with a support system.
- Because housing is vital to resettlement, landlords and other housing providers receive support from the resettlement community, especially initiatives like RHS, and ongoing interaction with local resettlement agency staff when questions and issues arise.
- Landlords and other housing providers can help in the resettlement process by providing a newcomer with a housing opportunity that will allow them to build their rental history and establish themselves in the U.S.

What to Expect When Renting to Newcomers and Refugees

- One of the most significant barriers in the screening process is the practical fact that landlords and other housing providers rely on documentation that newcomers do not typically have, such as history/records of past rent and utility payments or banking documentation. But *alternative documentation is provided* with resettlement agency support for the application process to assure landlords and other housing providers of risk mitigation and to make the rental application and vetting process more newcomer- and refugee-friendly.
- Because refugees and other newcomers are new to the rental process in the U.S., landlords and other housing providers are helped by RHS and local resettlement agencies and encouraged to provide additional “renter education” support during the move-in process.

Adding an orientation to the rental process increases a newcomer's success as a tenant. A move-in orientation may include:

- Highlighting vital lease sections, such as:
 - » lease terms, including security deposit purpose and uses
 - » notice of early termination fees if the tenant must move
 - » occupancy requirements
 - » lease renewal dates and terms
 - » notice to vacate clause, if any
 - » occupancy requirements
- Reiterating landlord and tenant responsibilities and expectations
- Reminding tenants what to expect during the move-in and move-out process
- Clarifying the importance of sharing emergency contact information
- Explaining when and how to request repairs or other work (emergency and routine)
- Demonstrating appliance and fire extinguisher use
- Talking about amenities and services within the neighborhood
- Because some newcomers are in a protracted transitional phase during their resettlement process and need only short-term housing, landlords and other housing providers should expect a broken lease occasionally. Due to lease durations, notice to vacate terms, and early termination fees, newcomers face hardships when breaking a lease to relocate to permanent housing. By offering shorter lease terms with reasonable termination fees, landlords and other housing providers can give newcomers flexible housing options during their transitional phase.
- As mentioned previously, depending on a newcomer's status, they may receive support services for up to five years. More likely, it will be for a shorter time -- but there will always be help in case of issues or emergencies. If you would like to be a "partner landlord" with a resettlement agency, you can expect to work with co-sponsors and volunteers as they also work with a local agency to help refugees and other newcomers settle into their new communities and homes.

How to Make Your Property Refugee- and Newcomer-Friendly

Finding quality long-term refugee and newcomer tenants is not impossible, but there may be challenges in the rental process that hinder them from leasing. Below are operational practices that a landlord or other housing provider can use to make the rental process and tenancy friendly more newcomer- and refugee-friendly.

The Application Process and Flexible Application Options

There are reasons why online rental applications can be better than paper: they are widely accessible and quicker to process. However, they favor people with access to the internet, who are computer literate, and are English proficient. By providing a paper application option, you allow a different pool of applicants to apply and enable refugees and other newcomers to ask questions during the application process when clarity is needed. With a paper application, there are things to consider in order to maintain the integrity of the application and screening process.

- The Fair Housing Act makes it imperative that there are no differences in treatment with a potential applicant during the application and interview process. If a paper application is offered to a refugee or other newcomer as a courtesy, it must be provided to ALL applicants -- not just a few. Interviewing techniques and screening questions should be consistent and uniform for ALL potential applicants.
- When accepting paper applications, ensure they are complete and legible. As landlords know, incomplete and illegible applications can cause delays or misunderstandings, thus generating a misinformed decision. If a refugee or newcomer has an issue understanding the application due to language, then special accommodations must be made. Under fair housing laws, it is illegal to discriminate against an applicant based on race, color, national origin, or English proficiency, which is related to national origin.

The Screening Process and Alternative Documentation

As noted, one of the most significant barriers in the newcomer screening process is that landlords and housing providers require documentation that newcomers and refugees do not typically have upon arrival in the U.S. Landlords and housing providers should expect alternative documentation during the screening process.

Below is alternative documentation that meets the screening criteria during the screening process.

Comparable Documentation		
Screening Criteria	Typical Documentation	Comparable Newcomer Documentation
Proof of identity	Driver's license or state ID	I-94 card
Ability to pay	Credit report	Promissory note from resettlement agency
Ability to pay	Income verification	Promissory note from resettlement agency
Criminal history	Background check	I-94 card
Rental history	References	Letter of support from resettlement agency

Details for Alternative Documentation

- **Proof of Identity and Background Check**

An [I-94 Card](#) is the Department of Homeland Security arrival/departure record issued to newcomers admitted to the U.S. and adjusting their status while in the U.S. or extending their stay. Most Afghans and Ukrainians have this document while they apply for asylum (refugee status) or other status. Because the majority of newcomers do not have a passport due to fleeing their home country, the I-94 and a travel document with their picture may be their only form of ID upon arrival. An I-94 can be printed online.

- **Promissory Note**

A promissory note is a document that outlines the financial support the refugee or other newcomer will receive from a resettlement agency and state or federal agencies. This shows the ability to pay and serves as a reference check as well.

If you have concerns about accepting alternative documentation in the tenant screening process and if those concerns align with fair housing laws, then please contact your lawyer or legal department and the local fair housing agency OR refer to [HUD's FAQ for housing providers](#).

Example of Promissory Note from Resettlement Agency (page 1)



Date

Property Management Company

www.refugeehouse.org

To Whom It May Concern,

Please be advised that **NAME(s)** arrived to **City** on **DATE**. **NAME** and their family have been screened by several federal agencies, including CIA, FBI and Dept. of Homeland Security and found to be eligible to resettle to **City**, **State** by our organization, Church World Service (CWS). Given that each refugee or parolee is unable to be present to acquire their own housing, the Department of State Bureau of Population, Refugees, and Migration (PRM) has given CWS the right to engage landlords in the acquisition of housing on behalf of the incoming tenant. Our Housing Specialist is trained in local and federal code, client budgetary restraints, and specific cultural needs in order to represent this agency and its clients, and to make an informed decision on incoming refugee housing needs.

This correspondence is to serve as a formal letter of intent to satisfy our agreement to arbitrate funds for our clients, **NAME**. CWS is committing to pay for the property at **Property Management Company** beginning **DATE** for the duration of up to **#** months (additional months may be requested as need arises). Our office will manage the funds granted to the family from the Department of State in the amount specified below and will request checks for a security deposit and monthly rent payments, as well as deliver the checks in person. We understand that holding properties is not possible so this letter is to serve as a contractual obligation to deliver payment as agreed upon orally until the tenants sign the contract and assume full responsibility.

NAME have the financial support of CWS and are eligible for additional financial assistance either through a federal Matching Grant or State RSS/TANF (Cash Assistance, Food-stamps, and Medicaid) programs, in addition to utility assistance through local programs, and CWS employment services.

The federal funding that is being made available to this family to cover their basic needs, including housing, is as follows:

Resettlement Grant

(\$1,025 per person) one time: \$#### (total)

Flex Fund, Discretionary Spending

(up to \$200 per person) one time, if needed

Matching Grant (if applicable)

\$1,200 + per person: \$####

Clients may be eligible for additional direct assistance to go towards their housing needs.

Given their current funding, **NAME** will have about six months to secure employment before their CWS-generated assistance is up. This is a reasonable time to secure gainful employment for all earners in the family. State SNAP (food-stamps) benefits as well as LIHEAP (Low Income Home Energy Assistance Program) will cover food expenditures and utility assistance, respectively. CWS supplies homes with donated goods and new bedding. Therefore, the funding above is specifically intended for paying rent and housing costs.

Transitioning our families to self-sufficiency is a federally required task of us. We are monitored on our ability to ensure self-sufficiency and therefore economic self-sufficiency of our clients. Therefore, we share the goal of ensuring good tenancy in client housing.

Thank you kindly for your consideration.

Sincerely,

NEWYORK • NAIROBI • BANGKOK • BELGRADE • BUENOSAIRES

Church World Service - New York Corporate Center-475 Riverside Drive, Suite 700-New York, NY 10115-P (212) 870-2061-F (212) 870-3220
Elkhart Corporate Center - 28606 Phillips Street - P.O. Box 968 - Elkhart, IN 46515 - P (800) 297-1516 - F (574) 262-0966 -info@cwsglobal.org
CWS Lancaster: Immigration and Refugee Program - 308 East King St- Lancaster, PA 17602- P (717)381-2890- F (717)381-2896-www.cwsglobal.org

Example of Promissory Note from Resettlement Agency (page 2)

Translation Services and Other Accommodations

As mentioned earlier, if there is a language barrier during the application process and the tenure of the lease, then accommodations must be made. The Fair Housing Act (FHA) prohibits discrimination based on national origin in private and federally assisted housing.

All housing providers receiving federal assistance must comply with Title VI of The Civil Rights Act to ensure applicants and tenants with limited English proficiency have access to programs and activities, which means providing interpreters and translating documents (i.e. applications and leases) when needed. For compliance, refer to your lawyer or legal department and the U.S. Department of Housing Urban Department (HUD) to receive funding to create and promote translated materials. Limited English Proficiency Initiative.

During the application process, if the newcomer or refugee cannot understand due to a language barrier, the potential applicant may utilize a family member, trusted friend, resettlement staff, sponsor, or volunteer as an interpreter with their consent. Because a lease is a legally binding contract, it is recommended NOT to use anyone under the age of 18 as an interpreter.

Regarding written translated communications, by providing a refugee or other newcomer with documentation in their language, landlords share an essential resource that helps newcomer tenants understand their legal rights and responsibilities. A translated document avoids the risks of spoken communication, which will likely be impossible to translate and transcribe. A written document also helps ensure that important details are not inadvertently missed or misunderstood due to language barriers. A

written document allows a point of reference when a non-English speaking applicant double-checks the interview's outcome with a resettlement agency staff member or other English speaker.

As a landlord or housing provider, you may hold a misconception that a newcomer or refugee has legal grounds to terminate a lease due to not understanding the terms. A lease is legally binding if it meets the state's requirements for a valid contract, so it is imperative that a newcomer and refugee have access to appropriate translation services and options before signing. Below are a few translation options:

- Landlords and other housing providers with a small portfolio can use the services of a nonprofit, immigrant-focused organization to assist with interpreter services, and those with larger portfolios should invest in hiring an interpreter when needed.
- Translation applications like Google Translate or iTranslate are suitable for newcomers or refugees who speak a little English but are not entirely fluent.
- As mentioned earlier, with the consent of the applicant, a family member, trusted friend, resettlement staff, sponsor, or volunteer may be used as an interpreter.

Offering Flexible Rental Agreements in the Leasing Process

As mentioned earlier, due to typical (one-year) lease duration, notice to vacate requirements of the tenant, and early termination fees, refugee tenants face hardships when breaking a lease. Year-long leases do ensure income for you as a landlord and housing provider but, in some cases, it can be an added challenge for refugee or other newcomers who are in the process of migration. Unfortunately, during the resettlement process, refugees are temporarily housed in cities away from any family members who may already reside in the country. Because family reunification is often a goal of the resettlement process, newcomers will relocate to another city once the remainder of their family members arrive in the U.S. If you, as a landlord or other housing provider, want to implement refugee-friendly operations, then flexible rental agreements and leases are key.

- Offering month-to-month and six-month leases with nominal termination fees make properties accessible to those still migrating, and these options also give refugees and other newly arrived, first time renters a chance to create a rental history.
- Because newcomers have no U.S. credit or employment history, if a promissory note (as mentioned above) is not sufficient to meet screening criteria, you can offer the option of a master lease with a resettlement agency. A master lease allows a nonprofit agency to enter a long-term lease agreement with a landlord or property management company to control a block of rentals units. With such an agreement, the nonprofit assumes unit upkeep and management responsibilities and guarantees rent payment for those units, and then leases them to its clients.

Move-in Orientation

Because the U.S. rental process is new to newcomers and refugees, it is beneficial to offer an orientation during move-in.

- Review the lease again, explain notices, highlight how to place a work order, and reiterate emergency contact information.
- Once a newcomer or refugee signs a lease, they may have appliances and amenities with which they are unfamiliar. Perhaps they're accustomed to some living habits that are not

safe for U.S. apartment living. For example, there may need to be a reminder that the oven should not be used for added heating during the winter. To help tenants make their living situation safe, demonstrate appliance use and leave written instructions as a reminder of how to use appliances. Additionally, make sure to let newcomer tenants know if auxiliary appliances like space heaters or stand-alone room air conditioners are allowed, and remind them (as their sponsoring resettlement agency will) how much these added appliances will add to their utility costs.

- Orient your tenants to use the fire extinguisher properly and explain when (and when not) to call 911 for emergency assistance related to apartment fires. Partnering with your local fire department or American Red Cross to provide additional fire prevention and safety training is recommended.
- Take time to orient your new tenants to their new neighborhood. Review what kinds of shops (i.e. grocery stores and pharmacies) are nearby, and share a printed list of resources and directions. If there is a local library or community center, especially places with Wi-Fi and computer access, letting your newcomer tenants know those locations and hours will be a welcome addition for families. Providing a map can be helpful, too.
- Moving is stressful for everyone. Imagine what a refugee or other newcomer to the U.S. has experienced up to the point of renting with you. They have left everything behind and need a foundation to rebuild. While the local agency supporting newcomers will help them settle -- and while they do have their own money -- providing a welcome basket with some basic household items or food is one way to start a positive landlord-tenant relationship. The gesture is an allowable business expense on your federal income taxes, subject to limits.

General Landlord Responsibilities

As a landlord and housing provider, your responsibilities do not end once the lease is signed. Just as you have expectations of your tenant, the tenant also has expectations of you. Because landlord-tenant laws vary from state to state and even by city, below are basic landlord responsibilities you as a landlord/housing provider should abide by.

- **The Fair Housing Act and Equal Credit Opportunity Act**

Because housing is a human right, newcomers and refugees deserve the opportunity to live in a community of their choice and free from discrimination. Safe, stable, and affordable housing is not a luxury, but a necessity.

Unfortunately, some cannot obtain safe, stable, affordable housing due to discriminatory practices. Your responsibility as a landlord/housing provider is to know the fair housing laws and about the fair credit reporting act. The Fair Housing Act and the Equal Credit Opportunity Act will be discussed later in this toolkit.

- **Following Terms of Lease and or Rental Agreement**

The lease or rental agreement you and the tenant sign is legally binding if it meets the state's requirements for a valid contract. Hence, it is imperative that you as the lessor abide by the terms of the contract.

- **Manage Tenant Relationships**

It is a win-win situation when you, as a landlord/housing provider, have a good working relationship with your newcomer tenant. Even though it is a professional working relationship, there are steps you can take to promote a friendlier environment.

- » Provide good customer service
- » Resolve property management maintenance issues quickly
- » Ask for tenant feedback on how to improve tenant relations
- » Offer tenant-friendly events

- **Reasonable Accommodations**

The [Fair Housing Act](#) (FHA) is a federal law that prohibits discrimination in housing. One of the many protections of the FHA is the right of an individual with a disability to request a reasonable accommodation in rules, policies, practices, and services that allow them total usage of their unit. As a housing provider, it is your responsibility to know who can make the request and what falls under reasonable accommodation. (Please review our [Fair Housing Tip Sheet](#) to learn more about reasonable accommodation)

- **Warranty Habitability**

As a housing provider, you are responsible for providing a habitable unit for your tenants. Habitable means the unit is safe, fit to live in, free from hazards, and complies with ALL your state and local building and health codes. Warranty Habitability also includes:

- » Maintaining structural components and a reasonably weather-protected unit
- » Providing the necessary heat, electricity, and hot- and cold-water facilities
- » Making requested repairs promptly, particularly to ensure the unit is hazard-free
- » Ensuring, with enforced rules, that living conditions are peaceful and quiet
- » Maintaining a pest-free environment

- **Timely Repairs**

Part of your responsibilities is to maintain the property's integrity for it to be safe and habitable. Part of that is responding in a timely manner to tenants' maintenance requests. When a request comes in, you must first assess the urgency of the situation. For matters that make the space uninhabitable, most states require a 24-hour response. An example of this would be a major leak or a broken heater. Depending on your state and local laws, a tenant could withhold partial or ALL of the rental payment if the repairs are not completed in a timely matter.

- **Safety**

As a housing provider, it is your legal responsibility and duty to reasonably protect your tenants. Again, your state and local laws will specify the safety requirements for your property. Basic safety requirements are installing smoke detectors, providing locks, repairing broken locks, appropriate lighting in dark areas, and window locks.

- **Abide by Occupancy Standard**

Occupancy standards are the laws that govern how many people can live in a property based on square footage and bedrooms. When renting to larger families, ensure you're aware of and are following the applicable law(s).

- **Security Deposits and Move-In Costs**

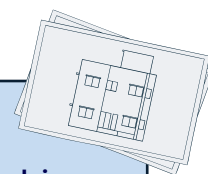
Security deposits have some legal limitations on the amount a landlord can collect. The limitations vary from state to state, but the common practice is one month's rent, with some landlords charging an additional month due to an applicant's credit history. [Your state may also mandate](#) how you handle the security deposit and the return of the funds when the tenant leaves (typically 14 to 60 days), and it cannot be withheld for normal wear and tear.

The Fair Housing Act

As a landlord and housing provider, it is your responsibility to know the Fair Housing Act as well as your state laws. This section is to assist you as a landlord or housing provider in understanding what your responsibilities are under the federal fair housing laws.

Disclaimer

This section is for informational purposes only and should NOT be relied upon as a source of legal advice. Please consult your legal department and or local [Fair Housing Partner Agency](#).



What is the Fair Housing Act Title III of the Civil Rights Act of 1968?

Federal Fair Housing Act Title VIII of the Civil Rights Act of 1968, as amended, is known as the Fair Housing Act (FHA). FHA makes it illegal to discriminate in any type of housing-related transaction on the basis of:

- Race
- Color
- Religion
- Sex
- National Origin
- Disability
- Familial Status (*familial status means the presence of children under 18 in a household, pregnant women, or anyone in the process of adopting or securing legal custody of a child*)

Why Is It Important?

FHA ensures individuals of a protected class are not discriminated against during a housing transaction.

What is the Equal Credit Opportunity Act?

The Equal Credit Opportunity Act (ECOA) makes it unlawful for you as a landlord or housing provider to discriminate against an applicant concerning any aspect of a credit application based on race, color, religion, national origin, sex, marital status, age, or because an applicant's income derives from any public assistance program.

Illegal Activities

The following are a few activities deemed illegal by the FHA. A landlord or housing provider cannot:

- falsely tell certain housing applicants that no housing is available
- steer applicants of a certain race to a specific housing area or floor
- force an applicant to choose an apartment near other people who are from the **same country**, speak the **same language** as them, or are of the **same religion**
- charge a **higher security deposit or rent** because of where they are from, their immigration status, or because of their religious faith
- refuse to rent because they or some of their family members **do not speak English**
- tell them that they must speak English when outside of their apartment
- enforce rules against them or their family because they are a newcomer, immigrant, or refugee or because of their religion, and do not enforce those rules against anyone else
- ask an applicant to identify their religion
- ask an applicant their immigration status because of how they look and dress

Permissible Activities

FHA does not guarantee any individual a right to housing they cannot afford, and landlords and housing providers may set the rent at whatever the market will handle.

As a landlord or housing provider, you must create and apply objective and nondiscriminatory criteria to evaluate a prospective newcomer or refugee's ability to successfully fulfill the lease term.

Best Practices

- Ask every applicant the same questions
- Give the same information and rental options to everyone – don't try to steer them to a particular section or area
- Ensure that your staff is trained to follow fair housing rules

HUD Frequently Asked Questions

Credit Check Policy Expectations

Q: If a landlord or property manager requires credit checks at admission, may the landlord or property manager forgo credit checks for Afghan refugees or parolees?

A: Yes. Landlords and property managers may generally forgo credit checks for any potential residents as long as they do not discriminate because of a protected characteristic under the Fair Housing Act, which prohibits discrimination in housing-related transactions on the basis of race, color, national origin, religion, sex (including gender identity and sexual orientation), familial status, and disability. For example, if a credit check exception is made because of immigration status, the exception must apply equally to all those in the immigration status and not only to those of a certain national origin.

It is a best practice for landlords and property managers to review their credit check policies (and other background check policies) to ensure that they do not discriminate unlawfully because of any protected characteristics. It is also best practice to use alternate forms of verification of ability to pay for any prospective tenant without traditional credit, whether refugee, parolee, or otherwise. For example, if a refugee agency will provide full rent payments for the refugee family, other verification of ability to pay would appear unnecessary since the purpose of the credit check would be to provide a reasonable basis for believing that a tenant's rent will be paid.

For more information on credit requirement exemptions in public housing and Housing Choice Vouchers, please see HUD's Office of Public and Indian Housing's [Questions and Answers Regarding Housing Assistance for Refugees and Parolees](#).

Occupancy Limit Exceptions

Q: Are there any general rules for determining when occupancy standards and occupancy limits may be discriminatory? May landlords and property managers make exceptions to their existing occupancy limits (thereby allowing larger refugee or parolee families, or connected kinship groups) to reside together?

A: Unreasonable occupancy limits on the number of persons who may occupy a unit may violate the Act's prohibition on discrimination against families with children. HUD guidance advises that as a general rule, an occupancy policy of two persons per bedroom is reasonable under the Act, but that the reasonableness of such a policy may depend on specific facts and circumstances, including the size and configuration of the unit and sleeping areas. The guidance describes the factors that are used to determine whether a housing provider's occupancy limits may discriminate because of familial status.

Note that HUD does not prescribe specific occupancy standards for public housing. For Housing Choice Vouchers, Public Housing Authorities (PHAs) must ensure that the rented unit meets Housing Quality Standards space requirements listed at 24 CFR 982.401(d)(2). PHAs can also set public housing and Housing Choice Voucher occupancy limits locally in their Admissions and Continued Occupancy Policies or Administrative Plans. However, when determining these policies, PHAs must comply with fair housing requirements and may need to comply with specific state or local laws regarding occupancy standards.

Subject to the Fair Housing Act, and State or local law, a landlord or property manager may make exceptions to its existing occupancy policies limiting the number of persons per bedroom or unit. Exceptions must be made for families or groups without regard to protected class under the Fair Housing Act, which prohibits discrimination in housing-related transactions on the basis of race, color, national origin, religion, sex (including gender identity or sexual orientation), and disability in addition to familial status. In addition, exceptions to occupancy policies may not be made in a manner that has an unjustified discriminatory effect on persons because of a protected characteristic.

Landlords and property managers should also refer to their state and local laws regarding occupancy standards. For more information on exceptions to occupancy limits in public housing and Housing Choice Vouchers, please see HUD's Office of Public and Indian Housing's [Questions and Answers Regarding Housing Assistance for Refugees and Parolees](#).

Affirmative Marketing

Q: What may landlords and property managers do and not do to advertise to Afghan refugees or parolees?

A: Landlords and property managers should not publish or cause to be published an advertisement that expresses a preference, limitation or discrimination on the basis of any classes protected by the Fair Housing Act, i.e., race, color, religion, sex (including gender identity and sexual orientation), disability, familial status, or national origin.

Landlords and property managers may target marketing to populations least likely to apply for housing without special outreach efforts. In certain circumstances this could apply to Afghan populations. “Least likely to apply” has been defined in some contexts to mean that there is an identifiable presence of a specific demographic group (i.e., the protected characteristics listed above) in the housing market area, but members of that group are not likely to apply for housing in the absence of special outreach efforts. Special outreach efforts may include marketing materials in other languages for limited English proficient individuals, and alternative formats for persons with disabilities. The reasons for not applying may include, but are not limited to, insufficient information about housing opportunities, language barriers, or transportation impediments.

It is important to know that landlords and property managers should avoid targeting advertisements solely to Afghans or another group of persons because of a protected characteristic under the Fair Housing Act. In other words, advertising that includes marketing to the Afghan population should be part of a larger non-selective advertising campaign to persons with a range of protected characteristics.

It is perfectly legal to advertise housing in languages other than English. However, the content of advertisements should not be discriminatory, and languages should not be limited in a manner that discriminates because of a protected characteristic. Advertisements should make clear that no one will get special preference – or be discriminated against – based on their national origin or other protected characteristic. Landlords and property managers should refer to HUD’s fair housing advertising [guidance](#) for more information.

Examples

- **Allowed:** Landlord in an area with large communities of Afghan families speaking Dari and Pashto (languages widely used in Afghanistan), as well as Somali, Hmong, and Portuguese families advertises in all of the above languages as part of a larger non-selective advertising campaign.
- **Not allowed:** Landlord in an area with large communities of Afghan families speaking Dari and Pashto (languages widely used in Afghanistan), as well as Somali, Hmong, and Portuguese families, only advertises in Dari and Pashto.

Language Access

Q: Are there rules or best practices that landlords and property managers of non-HUD-subsidized properties should follow to ensure that people who are not fluent in English are being treated lawfully?

A: Regardless of whether a property is receiving federal financial assistance, landlords and property managers may not discriminate against people on the basis of national origin, and national origin can be closely related to the language that people speak. Therefore, for

example, a landlord's practice of requiring that tenants be able to speak English may constitute discrimination on the basis of national origin. For more information, please visit HUD's [guidance](#) on Fair Housing Act protections for persons with limited English proficiency (LEP).

Best practices to avoid discriminating against LEP persons would include having rental documents translated, contracting with interpreters, hiring bilingual staff, and/or using a telephone interpreter line.

Q: Are there special rules that landlords and property managers of HUD-subsidized properties should follow to ensure that people who are not fluent in English are being treated lawfully?

A: In addition to the Fair Housing Act, landlords and property managers must follow certain rules for housing that receives federal financial assistance from HUD, as provided in the assistance contracts entered into by the property owners.

Title VI of the Civil Rights Act of 1964 requires recipients of federal financial assistance to take reasonable steps to ensure meaningful access to their programs and activities by limited English proficient (LEP) persons. Such services may include having rental documents translated, contracting with interpreters, hiring bilingual staff, and/or using a telephone interpreter line. Recipients cannot refuse to serve LEP persons, unduly delay housing services or translation services, or provide inadequate translation services. No matter how few LEP persons the HUD-subsidized unit is serving, oral interpretation services should be made available in some form. Please see HUD's [LEP Frequently Asked Questions page](#) for more information about HUD's Title VI LEP guidance. Additional resources may be found on [LEP.gov](#) and [HUD.gov](#). Landlords and property managers receiving federal financial assistance from agencies other than HUD should consult with those agencies for applicable LEP guidance.

Reminder

FHA protects newcomers and refugees regardless of immigration status.

Other Frequently Asked Questions

Q: How do I verify a newcomer or refugee's history?

A: As mentioned earlier, they are the most vetted people in the U.S. They are interviewed, screened, documented, and participate in cross-cultural education and training with various stakeholders, including U.S. Citizenship and Immigration Services (USCIS) and the United Nations High Commissioner for Refugees (UNHCR), before arriving in the U.S.

Q: Are newcomers and refugees a protected class?

A: While refugees are *not a specific protected class*, the protections against housing discrimination on the basis of national origin often may extend to refugees.

Q: What kinds of support services will be needed and how will those be provided?

A: Newly arriving newcomers and refugees receive 24 months of case management services from resettlement agencies. The tenants can access employment counseling services to find,

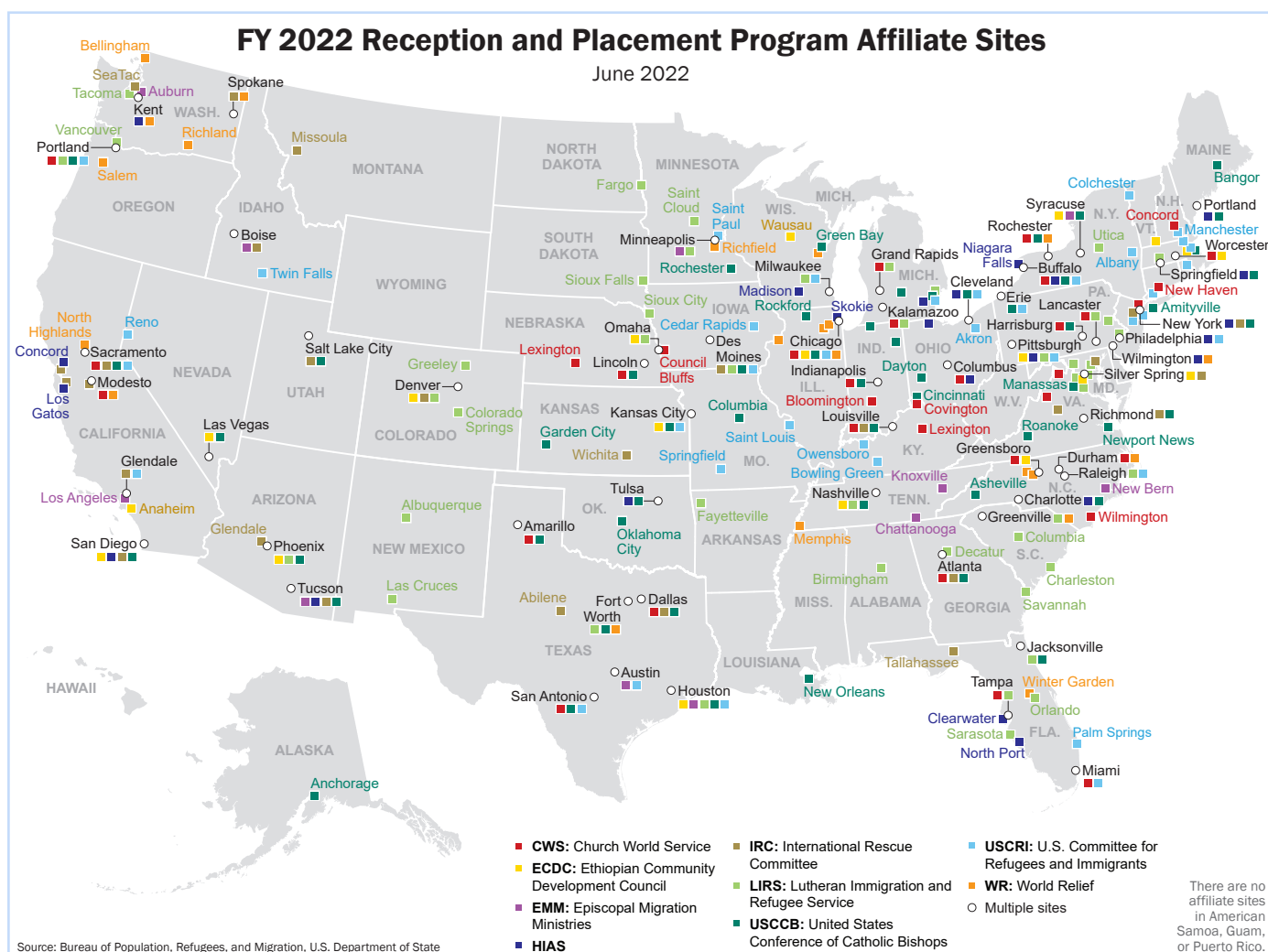
keep, and reach employment goals. Tenants have regular home visits, home maintenance education, and supplies to manage their homes. Tenants have support from refugee communities and agencies to help them learn life skills, solve problems, and comply with lease agreements.

Q: What is the typical family size and the average number of bedrooms needed?

A: The typical family size is a family of 6.2 with three or more bedrooms needed. Finding larger and affordable housing has been a challenge in the resettlement space.

Q: I am an interested landlord. What is the first step to becoming a refugee housing provider?

A: Congratulations and thanks for wanting to be part of the resettlement process! The first step is to contact a resettlement agency or local affiliate as listed in the [USRAP Affiliate Directory](#). You may also [contact RHS for assistance](#).



Q: How much notice will I receive that a refugee family needs a unit?

A: In general, resettlement agencies receive two weeks to one month notice. Certain demographics may travel more quickly, but often local agencies have options to place clients in a temporary situation. If your property is a good fit for a family but won't be ready until two

weeks after they arrive, most agencies will work with different timelines to ensure that families are placed in the best housing for them.

Q: Who will be signing the lease? What terms should be in the lease? Are there any specific provisions in the lease that I need to add?

A: As the landlord and housing provider, you dictate the terms of your lease. However, we encourage you to work with the resettlement agency and affiliate to create a rental agreement (lease) that meets refugees' and other newcomers' needs while following fair housing laws. As outlined above, short-term or even month-to-month leases help many new tenants, as do master leases with resettlement agencies.

Q: My organization is not a housing developer but offers housing counseling services, including financial capability counseling and first-time homebuyer education. Is there a need for these services, and how do we connect with the appropriate contacts?

A: Beyond the necessary immediate humanitarian response, the successful integration of refugees and other newcomers depends on, among other things, adjusting to U.S. financial and economic systems, especially banking and savings. Financial education helps everyone understand U.S. systems and helps people manage their finances so they can develop credit histories, access loans (including a home mortgage), and build wealth for their families.

Homeownership education and financial empowerment services are useful. To get involved, please contact a resettlement agency or an affiliate. A list of resettlement offices and affiliates may be found in the [USRAP Affiliate Directory](#). You may also [contact RHS for assistance](#). We will connect you to the appropriate partner.

Q: I understand that a refugee family is provided \$1,075 per person monthly to cover all their basic expenses when they first arrive to the U.S. What guarantee do I have that the rent will be paid?

A: In addition to the \$1,075 per family member, all those served through resettlement programs can receive additional direct assistance. This includes direct social services and financial aid, including Emergency Rental Assistance. Local resettlement agency staff can share a detailed summary of all assistance available to refugees and other newcomers.

Q: What Emergency Rental Assistance is available?

A: Emergency Rental Assistance and availability of funding varies state by state, so contact your local [USRAP Affiliate](#) or [HUD](#) for more information.

Q: Who is my point of contact while leasing to a newcomer or refugee? Who will provide interpretation services if needed?

A: Your point of contact is the local agency providing case management support and services. If interpretation or translation services are needed, the local agency will help directly or with a referral to meet the language need.

References

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