

Property Management, 7th Edition

Chapter Outline

CHAPTER 10: Federal and State Laws

- I. Overview
- II. Antitrust Laws
- III. Federal Fair Housing Laws
 - A. Civil Rights Act of 1866
 - B. Fair Housing Act (Title VIII of Civil Rights Act of 1968)
 - C. Blockbusting
 - D. Steering
 - E. Equal Housing Poster
 - F. Discriminatory Advertising
 - G. Original Protected Classes
 - H. Fair Housing Amendments of 1988
 - 1. Familial Status
 - 2. Exemption to Familial Status
 - 3. Falsely Implying Exemptions
 - 4. Handicap
 - I. Using Credit Reports
 - J. Testers
 - K. Filing a Complaint
 - L. Conciliation Relief
 - M. Civil Penalties
 - N. Actual Damages and Punitive Damages
 - O. Statute of Limitations
 - P. Avoiding Fair Housing Violations
 - Q. State and City Laws
 - R. Role of Property Manager
- IV. Americans with Disabilities Act (ADA)
 - A. ADA Protections
 - B. ADA Coverage
 - C. Disability Defined
 - D. ADA Requirements
 - E. Determining Who Must Comply

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- V. Equal Credit Opportunity Act (ECOA)
 - A. Protected Classes
 - B. Evaluating Lease Applications
 - C. Prohibited Requests
 - D. Penalties
 - E. Property Manager's Responsibilities
- VI. Fair Credit Reporting Act (FCRA)
 - A. Historical Background
 - B. Purpose of Consumer Credit Reporting Agencies
 - C. Credit Report Information
 - D. Credit Report Errors
 - E. Information on File
 - F. Persons Seeing the Credit Report
 - G. Rejection Based on Credit Report
 - H. Application for Criminal Checks
- VII. Megan's Law
 - A. Reporting Requirements
 - B. State Laws and the Property Manager
- VIII. Sexual Harassment
- IX. Lead-Based Paint Hazard Reduction Act (LBPHRA)
 - A. Effects of Lead on Humans
 - B. Sources for Lead Exposure
 - C. Target Housing
 - D. Required Disclosures
 - 1. Disclosure of Presence of Any Known Lead-Based Paint or Hazards
 - 2. Provide Copies of Any Reports
 - 3. Provide Pamphlet "Protecting Your Family from Lead"
 - E. Penalties for Non Disclosure
 - F. Monitoring Files
 - G. Management Responsibilities

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- X. Uniform Residential Landlord Tenant Act
 - A. No Abrogation of Rights
 - B. No Retaliation
 - C. Fair Dealings
 - D. Estate from Period to Period
 - E. Effects of Unsigned Leases
 - F. Security Deposits
 - G. Owner's Responsibilities
 - H. Owner's Right to Re-enter
 - I. Tenant Use and Occupancy
 - J. Tenant's Noncompliance
 - K. Abandonment
 - L. Tenant Remedies for Owner's Noncompliance
 - M. Fire or Casualty Damage
- XI. Summary