

CHAPTER 10: Federal and State Laws

MATCHING: Part I

testers

retaliation

Civil Rights Act of 1968

equal housing logo

handicap

steering

protected classes

blockbusting

Megan's Law

Americans with Disabilities Act (ADA)

1. _____ A law requiring properties open to the public include features that facilitate access to the building
2. _____ The illegal practice of inducing apartment dwellers to move out by making representations regarding the entry or prospective entry of persons of a particular race, religion or national origin into the neighborhood
3. _____ A federal law that prohibits discrimination in the sale, rental or financing of housing based on race, color, religion, national origin, sex, familial status or handicap
4. _____ A picture of a house containing an equal sign; should be included in all display ads, brochures and other advertising
5. _____ A disability that is a physical or mental impairment of an individual's major life activities; a protected class
6. _____ A federal law requiring certain convicted sex offenders to register with state law enforcement agencies who must then inform local law enforcement authorities who may then release certain information to the public
7. _____ Any group of people that can be identified by a characteristic designated by HUD in consideration of federal and state civil rights protection
8. _____ Prohibited activity under Uniform Landlord Tenant Law of "getting even" with a tenant who files a complaint with a government agency
9. _____ The directing of members of protected classes to buildings that are already occupied primarily by members of those same classes and away from areas occupied by members of other classes
10. _____ People used to gather evidence for fair housing violations; can be anyone

MATCHING: Part II

security deposit	actual damages
antitrust laws	punitive damages
familial status	conciliation
Equal Credit Opportunity Act (ECOA)	Fair Credit Reporting Act (FCRA)
Lead-Based Paint Hazard Reduction Act	price-fixing

- _____ In the event of a breach of contract, the award of money to compensate for the actual loss cause suffered
- _____ Laws designed to preserve free enterprise of the open marketplace by making illegal certain private conspiracies and combinations formed to minimize competition
- _____ Successful result of mediation between the parties in a discrimination complaint
- _____ The federal law passed to protect borrowers when applying for a loan; denial must be based on sound, business reasons
- _____ The federal law regulating the action of credit bureaus and the use of consumer credit information
- _____ A class of people protected by fair housing laws; defined as the presence of at least one person under the age of 18 or the presence of a pregnant woman
- _____ Federal law requiring landlords to disclose the presence of any lead-based paint, to give tenants copies of available reports and a brochure
- _____ A violation of antitrust laws whereby brokers or managers conspire to fix (set) rental or compensation rates
- _____ In the event of fraud, damages awarded to one party to punish the other party for his/her dishonest conduct to deter others from committing the same offense;
- _____ A payment by a tenant, held by the landlord during the lease term and kept (wholly or in part) on default or destruction of the premises by the tenant

Chapter 10: True/False

- T** **F** The safest way to get competitive information about another property is to “shop” the property.
- T** **F** All racial discrimination is prohibited in the Civil Rights Act of 1866.
- T** **F** Fair housing laws protect the actions of a manager who does not intend to discriminate.

4. **T F** The equal housing logo does not have to be included in classified ads if the newspaper runs the proper disclaimer.
5. **T F** There are no consequences if the equal housing poster is not displayed in the property management office.
6. **T F** A landlord is required to make modifications for a handicap tenant in a building built in 1975.
7. **T F** In fair housing cases, a judge or jury can award unlimited punitive damages to the aggrieved party.
8. **T F** The best way to avoid fair housing violation is to treat all prospects fairly and keep detailed records showing consistency.
9. **T F** Commercial property managers must deal with the ADA requirements more than most.
10. **T F** The property manager can refuse to rent to someone whose source of income is from public assistance.
11. **T F** The manager should retain copies of lead-based notices for three years.
12. **T F** If the tenant complains to the health department, the manager is permitted to cancel his lease under the Uniform Landlord Tenant Act.
13. **T F** Owners have no right to reenter the property once it has been leased.
14. **T F** Testers must meet certain training requirements before they are permitted to visit properties.
15. **T F** A properly designated elderly community may refuse to rent to families with children.

Chapter 10: Multiple Choice

1. **Which of the following is a forbidden activity under antitrust laws?**
 - a. Blockbusting
 - b. Steering
 - c. Price-fixing
 - d. Redlining
2. **Which law was reinforced by the Jones v. Alfred H. Mayer Company Supreme Court decision prohibiting all racial discrimination?**
 - a. Civil Rights Act of 1866
 - b. Title VIII of the Civil Rights Act of 1968
 - c. Equal Credit Opportunity Act
 - d. Fair Credit Reporting Act

- 3. Which of the following are protected classes under the Equal Credit Opportunity Act but not under the Fair Housing Laws?**
 - a. Race and color
 - b. Religion and national origin
 - c. Age and marital status
 - d. Sex and handicap

- 4. Housing for the elderly is intended for**
 - a. those over the age of 55.
 - b. those over the age of 62.
 - c. elderly handicapped people.
 - d. families with no infant children.

- 5. Residential rental properties must be handicap accessible if built before**
 - a. 1989.
 - b. 1991.
 - c. 1995.
 - d. 2000.

- 6. Civil penalties assessed in fair housing actions are paid to**
 - a. the aggrieved party.
 - b. HUD.
 - c. United States treasury.
 - d. the attorneys.

- 7. Which of the following is permitted information to consider when making a loan under the Equal Credit Opportunity Act?**
 - a. Birth control practices
 - b. Widowed or married
 - c. Single or divorced
 - d. Proof of income

- 8. The purpose of looking at a credit report is to see**
 - a. how a prospect has treated other lenders.
 - b. privileged medical information.
 - c. driving records.
 - d. comments concerning job performance.

- 9. The lead-based paint disclosure act was passed to protect**
 - a. property management companies.
 - b. children under the age of six.
 - c. elderly tenants.
 - d. vacationers.

10. The Lead-Based Paint Disclosure Act places a burden on owners and managers to

- a. contain chipping and peeling paint.
- b. remove all lead-based paint.
- c. include blood testing for all children who live there.
- d. destroy all buildings built before 1978.