

The following Model Fair Housing Policy has been drafted by the New Jersey Division on Civil Rights to reflect housing protections set forth in the New Jersey Law Against Discrimination, N.J.S.A. 10:5-1 to -49, and is intended to be a resource for housing providers seeking to create fair housing policies.

Model Fair Housing Policy

It is the policy of [*name of housing complex or community*] to comply with the New Jersey Law Against Discrimination (LAD), N.J.S.A. 10:5-1 to -49, where applicable, by ensuring that all housing, as well as all terms, conditions, and privileges associated with such housing, are available to all persons without regard to race, creed, religion, color, national origin, nationality, ancestry, marital status, civil union status, domestic partnership status, pregnancy or breastfeeding, sex, gender identity or expression, affectional or sexual orientation, familial status (defined as having care or custody of a child under age 18, being pregnant, or being in the process of securing legal custody of a child under 18), disability, liability for service in the Armed Forces of the United States, or source of lawful income used for rental or mortgage payments (such as Section 8 housing choice vouchers or other subsidies or vouchers provided by state or local rental-assistance programs) (collectively, LAD-protected categories).

This policy means that, among other things, the owners and operators of [*name of housing complex or community*] do not discriminate against persons in any aspect of the sale, rental, or occupancy of housing on the basis of their actual or perceived membership in a protected category or their association with someone who is a member of a protected category. Specifically, they do not and will not:

- A. Refuse to sell or rent, refuse to negotiate the sale or rental of, or otherwise make housing unavailable to any person on the basis of membership in an LAD-protected category;
- B. Discriminate against any person in the terms, conditions or privileges of sale, rental, or occupancy, including cost of rental, on the basis of membership in an LAD-protected category;
- C. Evict or decline to renew the lease of any tenant on the basis of membership in an LAD-protected category;
- D. Make, print, or publish any statement, including print advertisements and online postings, expressing any preference for, limitation of, or discrimination based on, membership in an LAD-protected category;
- E. Represent to any person that any dwelling is not available for inspection, rental, or sale, when the dwelling is in fact available, based on the person's membership in an LAD-protected category;
- F. Steer persons away from their desired housing, or represent that a neighborhood is changing in a way that could lower property values, increase crime, or lower the quality of

public services, including schools, because of the person's membership in an LAD-protected category;

- G. Condition a person's housing, or any of the terms, conditions, or privileges of housing, on acceptance of unwanted sexual advances or requests for sexual favors;
- H. Engage in unwanted, harassing conduct of a sexual nature that interferes with a person's use or enjoyment of housing, or permit others to do so;
- I. Engage in unwanted, harassing conduct of a biased nature based on membership in an LAD-protected category that interferes with a person's use or enjoyment of housing, or permit others to do so;
- J. Undertake any of the actions listed in subsections (A) through (I) based on the person's perceived membership in an LAD-protected category or their association with someone who is an actual or perceived member of an LAD-protected category.

Any agent, employee, or designee of [*name of housing complex or community*] who fails to comply with this policy will be subject to appropriate disciplinary action. Please report any violation of this policy to [*name and contact information for employee to whom complaints regarding a violation should be directed*].

You cannot and will not be subjected to retaliation for making a complaint under this policy or for attempting to exercise your rights under this policy or under the LAD.

Any action taken by [*name of housing complex or community*]'s agent, employee, or designee that results in the unequal treatment of tenants or applicants based on membership in any LAD-protected category may constitute a violation of the LAD. Any tenant or applicant who believes that any owner, agent, employee, or designee of [*name of housing complex or community*] has violated any of the above may contact the New Jersey Division on Civil Rights at www.NJCivilRights.gov or 1-866-405-3050. A complaint must be filed with the New Jersey Division on Civil Rights within 180 days of the allegedly discriminatory conduct.

Model Policy on Reasonable Accommodations and Modifications

[*Name of housing complex or community*] will grant reasonable accommodations to its rules, policies, practices, procedures, or services when such accommodations are necessary to afford a person with a disability an equal opportunity to use and enjoy a dwelling and when the accommodation will not cause an undue hardship to [*name of housing complex or community*]'s operations. Some examples of what may constitute a reasonable accommodation include allowing a third party to co-sign a lease or pay rent on behalf of a tenant with a disability or making a case-by-case exception to a building's general no-pets policy to accommodate a resident with an emotional support animal. Please note that service or guide animals, unlike emotional support animals, are automatically exempt from any no-pet policy. Service or guide animals are individually trained to perform specific tasks associated with their owner's disability, such as

guiding an individual who is blind or assisting an individual with epilepsy when she is having a seizure.

[*Name of housing complex or community*] will also allow reasonable modifications to the physical premises when necessary to afford a person with a disability the equal opportunity to use and enjoy a dwelling and when the modification will not cause an undue hardship to [*name of housing complex or community*]. A reasonable modification is a structural change made to the interior or exterior of an individual housing unit or common area or to accommodate a disabled resident.

To request a reasonable accommodation or reasonable modification, contact [*name, phone number, and email address for employee of housing complex or community to whom requests for a reasonable accommodation should be directed*]. To process your request, [*name of housing complex or community*] may require supporting documentation from a treating doctor or mental health professional both that you have a disability as defined by the LAD and that the requested accommodation or modification is necessary to provide you with an equal opportunity to use and enjoy the dwelling. All requests and information related to a request, including medical information, will be kept confidential unless disclosure is required by law.

[*Name of housing complex or community*] will make a prompt decision on your request and will provide that decision in writing. If [*name of housing complex or community*] cannot grant the requested accommodation or modification, we will attempt to reach a compromise that is acceptable to you.

You cannot and will not be subjected to retaliation for requesting an accommodation or modification under this policy or for attempting to exercise your rights under this policy or under the LAD.

Any person who believes a request for an accommodation or modification has been unlawfully denied or unreasonably delayed may contact the New Jersey Division on Civil Rights at www.NJCivilRights.gov or 1-866-405-3050. A complaint must be filed with the New Jersey Division on Civil Rights within 180 days of the housing provider's denial of the accommodation request.