



May 2016
Bloomington HRA

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THE NEXT MEETING IS IN MAY!

All rental housing owners, managers, leasing agents, maintenance staff and other interested parties are encouraged to attend this free Bloomington Rental Collaborative Meeting. This next meeting will take place on **Tuesday, May 17, 10 a.m., at Bloomington Civic Plaza, 1800 West Old Shakopee Road in the Haeg Room.** If you have any suggestions for future newsletter or meeting topics, contact Kathy Warren at 952-563-8942; TTY 952-563-8740 or e-mail kwarren@bloomingtonmn.gov.

May Meeting Topic: See Something, Say Something! *Thomas Folger with the U.S. Department of Homeland Security will discuss security and safety in home and business life.*

KEEPING PROPERTIES IN COMPLIANCE WITH ADA AND FAIR HOUSING LAWS

2015 brought us the 25th anniversary of the signing of the Americans with Disabilities Act of 1990 (ADA). ADA is intended to protect against discrimination based on disability and imposes accessibility requirements on public accommodations. As most multifamily properties have a leasing office onsite, those offices, as well as common areas, fall under the requirements of the law. While most multifamily dwelling units do not fall under ADA, units built after 1991 are required to comply with the Fair Housing Amendments Act of 1988.

FAIR HOUSING AND COMPLIANCE REGULATIONS

The purpose of all three of these regulations is to ensure the rights of the disabled and protect against discrimination, which would include providing equal access to such things as multifamily apartment complexes. The Department of Justice (DOJ) and the Department of Housing and Urban Development (HUD) use their enforcement ability on behalf of the disabled to ensure that those rights are protected. Each agency has developed policies to allow a person to report potential discrimination based on disability. HUD has been very active advertising in both print and electronic media, conveying to residents and potential residents their rights under the various accessibility laws. These ads, including one showing discrimination against an Iraqi war veteran, are very effective and to the point. The abovementioned ad points out that controls and switches, which most people take for granted on a daily basis, might be inaccessible to someone who is mobility impaired. As both agencies have demonstrated through their public outreach, compliance with the nation's accessibility laws is important to them. It should be important to the owners and managers of multifamily properties as well.

MAJOR COSTS ASSOCIATED WITH NONCOMPLIANCE IN COMMUNITIES

Noncompliance with accessibility laws can carry huge consequences. If the DOJ finds evidence of discrimination by an owner/operator regarding accessibility, it will demand correction of those areas

of noncompliance. When the DOJ prevails in litigation, it can require retrofitting of properties cited, an injunction against future discrimination, fair housing accessibility training, recordkeeping and periodic reporting to the DOJ.

In addition to these remedies, the DOJ will seek to identify victims of the alleged discriminatory housing practices, and seek a court judgment to require payment of monetary damages to those victims as well as require a payment of a civil penalty. On top of complying with these requirements, more than likely the owner/operator is going to incur enormous legal fees. The cost of settling with the DOJ far exceeds the cost of reviewing accessibility at a property and correcting any noncompliance.

PLANNING AND EVALUATING CAN HELP PROTECT YOUR PROPERTY

In order to help protect themselves from potential lawsuits, owner/operators should conduct an evaluation of each property for ADA compliance and create a transition/correction plan to correct any areas of noncompliance. There are several firms that can provide these plans to owner/operators. The cost of these plans is nominal compared to the cost of settling with the DOJ or any resident who might bring a suit for equitable relief for discrimination for accessibility noncompliance.

It is recommended that a new plan be created at least every five years as there are many accessibility elements that can quickly fall out of compliance. An owner/operator should ask themselves how often a parking lot is restriped or a level handle is changed out in a sink to determine how quickly a unit or a property can become non-compliant.

It should also be noted that not only should an owner/operator identify and correct any accessibility noncompliance to prevent lawsuits and findings by regulatory agencies, it is the right thing to do to provide equal access to their properties to persons who are mobility, visually and hearing impaired.

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The City of Bloomington does not discriminate on the basis of disability in the admission or access to, or treatment or employment in, its services, programs, or activities. Upon request, accommodation will be provided to allow individuals with disabilities to participate in all City of Bloomington services, programs, and activities. Upon request, this information can be available in Braille, large print, audio tape and/or electronic format.



APARTMENT, CONDO AND TOWNHOUSE RECYCLING INFORMATION FOR PROPERTY OWNERS AND MANAGERS

Property owners, managers and associations are required to provide residents with the opportunity to recycle. These tips can help you set up and maintain a successful recycling program at your building.

NEED HELP? IT'S FREE!

Residents in multifamily buildings want to recycle, but they don't always do it right. Hennepin County can help you set up your recycling system and provide educational materials for your residents. Free assistance from Hennepin County can greatly improve your recycling system, making it easier for both managers and residents.

Order free recycling storage bags, container labels, posters and flyers.

You can request assistance by emailing carolyn.collopy@hennepin.us or calling 612-348-3777.

HOW CAN I GET MY RESIDENTS TO RECYCLE MORE?

Studies show that posting two or three recycling reminders throughout the year can increase participation by as much as 20 percent. Hennepin County will help you communicate effectively with your residents with free recycling storage bags, instructional labels for dumpsters and carts, presentations, posters and fliers.

HAZARDOUS WASTE AND OTHER HARD-TO-DISPOSE-OF ITEMS

Electronics and some common household products like batteries, CFLs, paint and cleaners are hazardous and shouldn't be thrown in the trash. Encourage your residents to safely dispose of these products at Hennepin County drop-off facilities at <http://www.hennepin.us/residents/recycling-hazardous-waste/drop-off-facilities>. Residents can drop off these items for no charge. Drop-off facilities also accept bulky items such as mattresses and appliances for a fee. Building managers and owners - and residents - can find more information on the Green Disposal Guide at <http://www.hennepin.us/green-disposal-guide>.

DONATION CENTERS AND CHARITABLE AGENCIES

There are many charitable agencies in the region

that are happy to take reusable household items and furniture in good condition left by your residents. Many even offer pickup service. Find charitable organizations that accept used items through the Choose to Reuse directory at <http://www.hennepinchoosetoreuse.org>

TIPS FOR A SUCCESSFUL RECYCLING PROGRAM

These tips can help you set up and maintain a successful recycling program at your building:

- Clearly label recycling collection containers. Use labels that include pictures of the materials that your residents can recycle.
- Post instructions in the recycling and common areas of your building (laundry room, community room, mailroom, bulletin board, etc.) showing residents how to recycle.
- Give residents a recycling guide that includes a list of what can and can't be recycled when they move in.
- Neighbor-to-neighbor encouragement can be the best form of recycling education. Recruit enthusiastic residents to champion the recycling program and educate other residents about recycling. Consider providing an incentive such as a rent credit or a preferred parking space.
- Provide reinforcement and remind residents to recycle by giving information to new residents at move-in and by providing periodic recycling updates.
- Inform your residents of the benefits of recycling and assure them that materials collected for recycling do get recycled.
- Provide positive feedback to your residents who are recycling. Consider setting a goal for your building and tracking progress regularly. If you produce a building newsletter, consider adding a recycling section for regular updates and reminders.

Get all the resources you need from the Multifamily Recycling Order Form at <http://www16.co.hennepin.mn.us/forms/multi-family-recycle>, including free container labels and posters, a brochure to recruit recycling advocates, and recycling guides.

FIND US ON THE WEB!

For more local information about housing, check out our website at BloomingtonMN.gov, and search by keywords "Rental Housing Collaborative." Updated Bloomington Rental Collaborative meeting times and topics can always be found here.
