

## Case Examines Guest Discrimination

A recent federal court case illustrates landlord liability for discriminatory conduct toward a resident's guest.

In this case, a landlord leased an apartment to a white individual. The community was located in a predominantly white neighborhood in Philadelphia. Within the first few weeks of residency, a black woman and her two children visited the resident.

One day the landlord called the resident and asked if her friend was black. When she responded affirmatively, the landlord told her to "look for somewhere else to live" because her "neighbors were not tolerant of that."

The following day the landlord sent the resident an eviction notice citing nonpayment of a security deposit and a violation of occupancy limits. The notice stated she must vacate within 30 days.

Then the landlord physically confronted the resident and threatened to "punch her" to "put her in the hospital" and to "kill her" and to "remove the blacks" from her apartment. The landlord even indicated that people of that "kind" must leave her apartment. She then kicked at the resident's door. The resident's guest and her children were inside the door and frightened by this incident.

A few days later, while the resident was in the process of moving out, the landlord again threatened her. The renter contacted the police department to assist her in removing her belongings.

The question the court faced was whether the guest could bring an action against the landlord for discrimination. The court stated that it was the first case in the country to present this question. It looked to the Fair Housing Act, which defined an "aggrieved person" as:

*(1) any person who claims to have been injured by a discriminatory housing practice; or (2) believes that such person will be injured by a discriminatory housing practice that is about to occur.*

Consequently, the court found that the guest could bring such an action against the landlord.

This case is a reminder to landlords that fair housing laws have a very broad reach. Landlords must be sure that their activities are in compliance with the fair housing laws as it concerns all of their residents and their guests.

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September 2001 / Apartment News