

Is YOUR Service Team Playing Fair?

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Since most multifamily professionals agree that our Service Team has the most contact with our Residents, why is it I rarely see Service Team members in Fair Housing Seminars at all of the conferences I attend? I see plenty of Managers and Leasing Professionals, yet our Service Employees are probably MORE likely to commit a Fair Housing faux pas!

When we think about Fair Housing complaints and lawsuits, we usually think about Leasing Professionals, right? Did you know that approximately 30% of complaints and lawsuits result from situations OUTSIDE the Leasing Center? Believe it or not, there are still plenty of six and seven-figure awards being made in Fair Housing suits, and many of them are service-related.

The math should be pretty easy: The minimum fine per occurrence of a discriminatory action is app. \$11,500 and the cost of a Fair Housing seminar is anywhere from \$49.00 - \$99.00. And it doesn't stop with the fine (and the punitive damages – that's where all the zeros come from in those six and seven-figure awards!) – what about all that publicity we suddenly get when a complaint is filed, and all the time and money that must be spent to defend ourselves – typically thousands of dollars that could have been avoided if we simply trained ALL of our Employees.

Beyond the math is pretty easy, too: practicing Fair Housing is the RIGHT thing to do! So, in no particular order, here are the most common situations that our Service Team should be aware of to make certain they are "Playing Fair":

1. **Just Say "Know"**: As in, *"I don't know, let's go over to the office and find out . . ."* This should be the standard response to ANY inquiry about availability, rental rates, renewal terms, specials, concessions, and anything else having to do with the rental or renewal of an apartment. It's also a great answer to the "What kind of people live here" question, however an even better answer to that question is, *"Anyone who meets our qualifying standards lives here"!*
2. **There Are NO "Do Overs" in Fair Housing**: Just because you didn't mean to discriminate doesn't mean you're automatically off the hook – discrimination does not need to be intentional – many a Fair Housing complaint is the result of someone trying to "be nice". We all need to "be nice", however we must be consistent and treat everyone the same. Some examples of what NOT to do are NOT suggesting which building someone would like because *"there are/are not lots of kids in that building"*, or because *"there are/are not lots of THOSE people in that building"*, and NOT talking about other Residents or Employees.
3. **FIFO = First In, First Out**: This is a term from my days in retail; for the apartment business, it means we do our service requests in the order we receive them, unless it is an emergency. (Speaking of emergencies, do you have a written list of exactly what constitutes an emergency, and does each of your Residents have a copy of that list?) While it may be tempting to do certain service requests first, because the Resident is pleasant and tips well, and others last, because they are not pleasant and don't tip, DON'T give in to that temptation: it could turn into a Fair Housing complaint based on discrimination due to different treatment (*"You did their work order before mine, even though I called mine in first, because I am a "Protected Class"*).

4. **Attitude Is Everything:** Since most of our Service Team members don't get much (any?) Customer Service training either, let's talk about attitude for a moment. The old cliché holds true here: "Reality is perception and perception is reality". When a person perceives being treated differently, they will usually make up their own reason for why they are being treated differently – and that reason could be "Because I'm a member of a "Protected Class". That different treatment includes attitude, body language and overall demeanor; if your Service Tech seems to be friendly and outgoing to everyone EXCEPT Mrs. Smith, then in the absence of an explanation to the contrary, Mrs. Smith may think it's because she is a member of a protected class.

5. **Do As I Say AND As I Do:** Your Service Team Manager has a special responsibility, as the Supervisor, to comply with all Fair Housing laws and ensure that each of the Team members complies. That means everyone looks to the Manager for guidance, and people will automatically assume that if the Manager says or does something, then THEY can say or do it too. This includes being proactive by not tolerating off-color or racially insensitive jokes, sexual harassment in ANY form, being aware of what the team is looking at if they have Internet access (jokes sent by email, inappropriate web sites), EVERYTHING. Remember, not leading by example when we're talking about Fair Housing can have very expensive consequences.

6. **Remember That Your Vendors and Contractors Need Fair Housing Training:** Yes, that's right – they can get us into just as much trouble as one of our Employees. Make certain that all your vendor contracts and service agreements contain a paragraph putting the vendor on notice that you expect any of the people they send to your property have Fair Housing training.

So, what are you going to do about making certain your Service Team is playing Fair? There are plenty of quality classroom, computer-based and web-based training programs available that are designed specifically for Service Employees. Isn't it about time we get EVERYONE at our properties trained (or, is it time for a refresher class?). Remember, play nice and PLAY FAIR!

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