

## **TENANT ON TENANT HARASSMENT** **GUIDELINES FOR TENANTS**

### **BACKGROUND**

Under state and federal fair housing laws, discriminatory harassment may, depending on circumstances, include behavior directed at a tenant, staff person, or guest because of their membership in or association with a member of a protected class. Protected classes include race, religious creed, color, national origin, sex, gender identity, sexual orientation, which shall not include persons whose sexual orientation involves minor children as the sex object, age, genetic information, ancestry, or marital status of such person or persons or because such person is a veteran or member of the armed forces, or because such person is blind, or hearing impaired or has any other handicap, or status as a public assistance recipient.

### **HARASSMENT POLICY**

It is the policy of the Newton Housing Authority (“NHA”) that harassment of or discrimination against a tenant, staff person, or guest because of that person’s race, religious creed, color, national origin, sex, gender identity, sexual orientation, which shall not include persons whose sexual orientation involves minor children as the sex object, age, genetic information, ancestry, or marital status of such person or persons or because such person is a veteran or member of the armed forces, or because such person is blind, or hearing impaired or has any other handicap, or status as a public assistance recipient, will not be tolerated and could be grounds for termination of tenancy or employment. Discriminatory harassment is a violation of the fair housing laws and is specifically prohibited. Harassment may include various types of behavior, depending on the circumstances. The NHA, its employees and tenants shall conduct themselves with appropriate non-discriminatory behavior and strive to cultivate and maintain a living environment that is free from discriminatory harassment. The NHA shall ensure that appropriate designated staff shall be trained in addressing discriminatory harassment, including tenant versus tenant conduct.

Harassing conduct may include, depending on the circumstances, but is not limited to: physical violence, unequal treatment of similarly situated persons, unwelcome epithets, slurs, or negative stereotyping, threatening, intimidating, or hostile acts or gestures, demeaning remarks or jokes, or written or graphic material that denigrates or shows hostility or aversion toward an individual or group because of their protected class.

Sexual harassment may include a range of subtle and not so subtle behaviors and may involve individuals of the same or different gender. Sexually harassing conduct may include, but is not limited to: unwanted sexual advances or requests for sexual favors; unwelcome sexual jokes and innuendo; verbal abuse of a sexual nature; commentary about an individual’s body, sexual prowess, or sexual characteristics; leering, whistling, or touching; insulting or obscene comments or gestures; and other physical, verbal, or visual conduct of a sexual nature.

The NHA is nonetheless also committed to upholding, in appropriate circumstances, the freedom of speech and of the press rights, under the federal and state constitutions, of all its tenants and employees.

Some specific examples of conduct that, when unwelcome, may constitute harassment are provided. These examples are not meant to be all-inclusive, and the circumstances of each incident must be carefully reviewed to determine whether improper tenant on tenant harassment may have occurred:

- Verbal or non-verbal innuendo that relates to or reflects negatively upon any protected group, such as mimicking a disabled person's walk;
- Derogatory comments, slurs, or use of nicknames that relate to a person's membership in any protected group;
- Visual messages that are degrading to or reflect negatively upon protected groups;
- Jokes that have the purpose or effect of stereotyping, demeaning, or making fun of any protected group;
- Touching of a personal nature, such as leaning over, cornering, or pinching another individual.

Tenants and/or staff who witness or learn of possible discriminatory harassment, or staff members who receive a complaint from a tenant of such discrimination must take it seriously and respond promptly according to the procedures outlined in this policy.

Note: In situations where a tenant does not speak English, an arrangement will be made with an interpreter by the main office so the tenant's concerns on this policy (or any other policy) are clearly understood.

Tenants who experience or witness possible discriminatory harassment are strongly encouraged to report it to the Executive Office of the NHA.

Retaliation: The NHA will not tolerate retaliation by staff or tenants against

- (1) any tenant who complains of discriminatory harassment or,
- (2) any witness who supports a claim of discriminatory harassment.

## **PROCEDURES**

In cases of emergency, such as immediate threat of bodily harm, call 911.

If you are the victim of a hate crime such as vandalized property or a threat of harm to yourself or your property, contact your local police department's hate crime unit.

If you feel safe doing so, ask the person doing the harassing to stop the behavior.

Report the problem to **the Executive Office of the NHA as soon as reasonably possible.**

The NHA will take your complaint seriously and will report to you after looking into the matter.

Once reported to the Executive Office, the tenant or staff member will be requested to fill out a complaint form, and help will be provided to the tenant to do so if necessary.

If you believe staff is failing to take appropriate action regarding your complaints of discriminatory harassment, please contact the Executive Director personally or the state Department of Housing and Community Development, or a fair housing agency in the area listed on the attached sheet.

If you believe that the tenant you complained about or any other tenant or guest is treating you inappropriately because you complained about discriminatory harassment, report that behavior to staff immediately.

If you believe staff is treating you unfairly after reporting discriminatory harassment, contact Executive Director of the NHA personally or the state Department of Housing and Community Development, or a fair housing agency in your area listed on the attached sheet.