

# HOUSING APPLICANT INQUIRY GUIDE

CATEGORY	EXAMPLES OF LAWFUL INQUIRIES	EXAMPLES OF UNLAWFUL INQUIRIES
<b>ANCESTRY/ NATIONAL ORIGIN</b>	<ul style="list-style-type: none"> <li>• Whether applicant is a U.S. citizen.</li> <li>• Whether applicant is legally eligible to remain permanently in the U.S.</li> <li>• Applicant's current address.</li> <li>• How long applicant has lived in this State or local community.</li> <li>• Former places of residence when necessary to check references.</li> </ul>	<ul style="list-style-type: none"> <li>• Nationality, lineage, ancestry, descent, or birthplace of applicant or relatives.</li> <li>• Applicant's native or primary language.</li> <li>• How applicant acquired the ability to read, write, or speak a foreign language.</li> <li>• Maiden or former name (unless necessary to check references).</li> <li>• Photograph with application.</li> <li>• How long applicant has lived in the U.S.</li> </ul>
<b>RELIGION</b>		<ul style="list-style-type: none"> <li>• Religious denomination, affiliation, place of worship, religious leaders, or religious holidays observed.</li> <li>• Name of religious leader as reference.</li> </ul>
<b>RACE</b>	<ul style="list-style-type: none"> <li>• Criminal convictions that are related to ability to comply with lease.</li> </ul>	<ul style="list-style-type: none"> <li>• Race of applicant or relatives.</li> <li>• Complexion or color of skin or eyes.</li> <li>• Photograph with application.</li> <li>• Arrest record.</li> </ul>
<b>SEX/ PREGNANCY</b>	<ul style="list-style-type: none"> <li>• Names of persons in household.</li> </ul>	<ul style="list-style-type: none"> <li>• Whether applicant is pregnant, has children, or plans to have children.</li> <li>• Marital status.</li> <li>• Maiden name.</li> <li>• Questions asked only of one sex but not of the other, e.g., asking only women about ability to mow lawn or shovel snow.</li> <li>• Sex of persons in household.</li> </ul>
<b>FAMILIAL STATUS</b>	<ul style="list-style-type: none"> <li>• Number of persons in household.</li> </ul>	<ul style="list-style-type: none"> <li>• Number of children in household.</li> <li>• Ages of persons in household (unless related to "housing for older persons" exception).</li> <li>• Pregnancy, future childbearing, custody, or adoption plans.</li> </ul>
<b>SEXUAL ORIENTATION</b>		<ul style="list-style-type: none"> <li>• Sexual orientation, gender identity, or gender expression of applicant.</li> <li>• Relationship between household members.</li> <li>• Marital status.</li> <li>• Name of spouse or significant other.</li> <li>• Photograph with application.</li> </ul>
<b>DISABILITY</b>	<ul style="list-style-type: none"> <li>• Whether the person is able to meet the requirements of the lease or rental agreement, if provided with reasonable accommodations for disability, provided this question is asked of all applicants.</li> <li>• If person requests reasonable accommodation or modification, the person may be asked for verification of disability and need for accommodation or modification.</li> <li>• Whether person has a pet.</li> </ul>	<ul style="list-style-type: none"> <li>• Whether the person has any health conditions, unless to determine qualification for a housing program for people with disabilities.</li> <li>• Whether applicant has or has had an alcohol or drug addiction problem.</li> <li>• Whether person needs reasonable accommodations or modifications in order to have equal enjoyment of the premises, unless first requested by the applicant.</li> <li>• Whether person has service, therapeutic, or support animal, unless first identified by the applicant.</li> </ul>
<b>Other</b>	<ul style="list-style-type: none"> <li>• Smoking (or non-smoking).</li> </ul>	
<b>RECEIPT OF PUBLIC ASSISTANCE (such as Section 8, TANF, and General Assistance)</b>	<ul style="list-style-type: none"> <li>• The Maine Human Rights Commission recommends that owners and managers avoid making oral or written inquiries that might make a person believe that they were denied housing because of their status as a recipient of public assistance.</li> <li>• It is not unlawful to ask an applicant how he or she intends to pay the rent.</li> </ul>	

**MAINE HUMAN RIGHTS COMMISSION**  
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