

HOUSING APPLICANT INQUIRY GUIDE

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

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