



## You're From Where? Sorry, No Vacancies.

by Zachary Lawrence JD

**A**s of this writing, President Trump has issued an executive order barring entry into our country for any persons from these seven countries: Iran, Iraq, Yemen, Libya, Somalia, Sudan and Syria. Like it or not, Trump's "This Land is Your Land" campaign has gained traction and his current poll numbers are high.

So what does this have to do with you, the landlord? I raised this issue on my "Landlord-Tenant Radio" podcast with my friend, mentor and eviction expert, attorney Dennis Block.

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try, and with all of his or her immigration document in order?

**Dennis:** A landlord may not discriminate on the basis of nationality, regardless of

the country of origin of the applicant.

**Zac:** Dennis, you are a landlord. Pretend that a person applies for your vacancy, you have his application, and you notice that he was born in one of the seven banned countries. However, he has all the legal documents evidencing his legal status to be in our country. He is a legal immigrant. He does not have a social security number. However, his immigration documents are in perfect order. He is indeed a legal resident of our country. Do you, Landlord Dennis, have the right to reject this applicant?

**Dennis:** I may reject this applicant for economic rea-



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sons. If the applicant does not have a social security number or a work permit number, then you cannot be gainfully employed in our country. And if you're not gainfully employed, how am I going to get my rent? So, on that basis alone, I have the right to reject this applicant.

**Zac:** But you see, Landlord Dennis, this applicant is indeed gainfully employed. He is a carpenter and has copies of paychecks to support his claim.

**Dennis:** When an applicant doesn't have a social security number and then fails to pay his rent, it makes it very difficult, if not impossible, to collect on monies owed. Therefore, I am rejecting his application for

economic reasons and not because he is a foreigner.

**Zac:** This same applicant hears your legitimate concerns, and now gives you an envelope with cash covering a full year's rent. What arguments would you now have to reject this applicant?

**Dennis:** If this applicant offered a year's rent in cash, notwithstanding the lack of a social security number, I would accept the application.

### Closing Comments

A landlord may not discriminate on the basis of marriage, race, religion, age or handicap. However, should any of these "protected class"

applicants fail to offer a social security number or sources of legal and verified income, then the landlord may reject the applicant for economic reasons.

On a personal note, and given the recent epidemic of vandalism to Jewish cemeteries all over our country, is it remotely possible that immigration may not be our biggest problem?

ADA

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