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## Room for Rent! Jeepers, Peepers, Save us from the Creepers! Part 2

By Cynthia Brian

You own a second home, townhome, or condo which your twenty-something son is living in while he finishes grad school. He loves living alone, but the rent he's paying you can't cover the mortgage. In this recessionary economy, refinancing is out of the question because the bank says the area is "upside down." Instead of foreclosing, you decide to rent out a room. Both of you determine that the most desirable tenant would be a twenty-thirty something single male, non-smoker, gainfully employed, with no pets who is respectful, quiet, and not interested in bringing the party home. The free classifieds are the perfect place to find that perfect person. Or...are they?

It only takes a few navigational minutes to discover that posting an ad is fraught with peril. Forewarned is forearmed and it's not always what you think. As a caring mom who owns a beautifully designed and maintained townhouse in a college town, I enjoy renting to discretionary students. Before I post an ad anywhere, I know the rules. The Federal Fair Housing laws prohibit discriminatory advertising, regardless of how small or large the property. This means that I cannot advertise for a student, twenty-thirty something single male, non-smoker, gainfully employed because that would discriminate against non-students, women, couples, families, the aged, and the unemployed. California laws, where I reside, prohibit discrimination on the basis of race, color, religion, sex, sexual orientation, marital status, national origin, ancestry, familial status, source of income, disability, or age (CA GOVT § 12955). Every state has specific rules and we are wise to learn them.

There are exemptions. If the living situation requires shared bathroom, kitchens, or common room facilities, the homeowner may express a preference based on gender or sexual orientation. Another exception is when the owner lives in the home, the number and sex of occupants desired may be stated.

Once you've mapped the minefield of writing a legally acceptable ad, it's time to sift through the responses, many of which may prove to be scams. Here is an actual on-line posting with the name and city changed.

"I am a 30 yr old professional male moving to the area next week. My office is in San Diego so I would like something close by.

Just received work promotion making about 95K a year. I need an apartment or townhouse to share and yours sounds exactly right. My issue is I had a mortgage company in N. CA and lost everything, so my credit is shot. I'll pay you in cash.

I am heading down from San Francisco on Monday and could move in next week. Can we meet? Thanks, John" What's wrong with this response? Although John could be for real, his initial correspondence shares too much information regarding his income and credit status. Wanting to pay in cash is a flaming red flag. He doesn't sound thirty or professional, and most likely would not pass a background check. Delete!

Here are a few helpful hints to protect you as you write your Room for Rent ad and schedule interviews.

- Know the rules of your state for landlords.
- Remain anonymous by not giving out exact street address in your ad. Cross streets allow the good guys to know the area you are in while keeping your exact location protected.
- Hide your email address from readers and have the site forward emails to you.
- Provide four or more quality photos without people or recognizable street identification in them.
- Do not show links to other postings
- Click no preference on gender unless you are renting according to FHA exemptions.
- Conduct a phone interview, letting the person know that a copy of his driver's license is required.
- Ask for more information before meeting in person and send any pertinent rules for the home.
- Always have another person with you when you do meet the potential renter
- Have a renter application ready
- Require a credit and/or background check paid by the renter.
- Do not accept money orders, traveler's checks, or cashier's checks.
- Do not give out your bank information for money transfers from out of the country accounts.
- Trust your gut.

If you feel uncomfortable going this alone, there are realty companies that offer rental services for a fee. There are creepers crawling the web and the classified want ads seeking volunteers to be victims. Don't become one of them. If it sounds too good to be true, it usually is false. There are many outstanding and upstanding individuals looking for your specific location. The more diligent and specific you are in penning your post, the more successful...and safe you and your loved ones will be.

May you find the ideal tenant and save your home in the process.

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