

Did Discrimination Take Place? You Be the Judge. Readers Respond

BY LISA TROSIEN

In the October 2003 issue of *UNITS*, Onsite Solutions focused on a story about a woman and her two small children searching for a new place to live. The actions of the sales team were described in detail and *UNITS* readers were asked if the woman and her family were the victims of discrimination.

Overwhelmingly, *UNITS* readers felt that there was no discrimination. While everyone agreed that the company's customer service skills were decidedly lacking, most felt that the office team members were just ready to go home for the day and did not feel like servicing the woman and her family properly. Many suggested mystery shops and additional training to remedy the situation. Some felt that the woman was hypersensitive to the fact that her children were Asian and could not believe she would even consider filing a complaint. A selection of the responses received, as well as some feedback from the woman herself follow.

Discrimination: No

I read your article "Did Discrimination Occur Here? You Decide." I don't think blatant discrimination occurred; however, the sales people are so poorly trained that is difficult to make good judgment. As a property manager, I would be mortified if any of my staff behaved this way. It is unfortunate, but I find this same behavior when I shop some of our competitors. It illustrates poor training, management and customer service. It is truly a shame.

—*Heather Hernan*

In the age of lawsuits, yes, it would appear that discrimination did take place. However, there is not enough to go on. How had the office staff treated previous guests throughout the day? I think the fact that the lady showed up "just before closing time" says more about the intentions of the employees. In the customer service industry, no matter how much it is said that the last customer of the day should be treated with the same courtesy as the first, that is not always the case—and that is what I believe to be evident here. The actions of these employees say more to me about the apparent

lack of interest by the company in its training and presentation of staff members. Furthermore, if one would be so inclined as to claim discrimination in this case, would "people who come to the property just before closing time" become number eight on the list of protected classes? It is easy to mis-read the intentions of the staff as discriminatory, however, I believe that it was just the end of the day and they were ready to get out of the office.

—*Adrienne Heft*

In an effort to make everyone happy, society has created a very unhappy place where many are apprehensive to make decisions that are in the best interest of their own life, circumstance or company. Others are offended by what another chooses to do. After reading through the story (assuming it depicts accurately the events and communications) it is my opinion that discrimination was not a factor in the behavior or conversation. [The October column] was a story that wreaks of plain old lousy customer service and accountability for that must lie squarely on the shoulders of the leaders within the organization, be it the onsite manager or any level(s) of leadership above that—period.

—*Mike Laporte*

Readers Say NO
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—*Adrienne Heft*

I do not believe that intentional discrimination occurred during this show. It sounds like the leasing agents were very poorly trained both in fair housing and in customer service. My only question was this: Was the woman dressed very poorly? Were the girls perhaps assuming that the woman would not qualify because she looked poor, and they did not want to waste time showing her? Just a thought. But I do not think it was intentional.

—*Kristy Bowers*

Everyone in our small corporate office read your recent *UNITS* discrimination case study. We all agreed that a decision regarding the occurrence of discrimination could

not be made due to the lack of information. Although the way the prospect was treated may be alleged as discriminatory due to the extreme lack of customer service, it is unknown if this is the way prospects are uniformly treated. We believe a few testers from different protected classes would need to be used to make a case.

—*David*

I do not believe that discrimination was shown either through intent or effect. What was shown was the worst case scenario of closing time at a lot of offices. The entire staff was guilty of wanting to get out of there and not wanting to fool with the prospects. It would not have mattered had they been black, married, single or whatever. No one wanted to help, put forth any effort or show any sign of interest in closing the deal. A good indication of a lack of enthusiasm, lack of discipline, and, unlike our property where we need every sale at this point, they must have wanted to get off work more than the sale.

—*Angela C. Cohen*

I do not feel there was discrimination. The office staff was too lax in their representation of the property. I am not sure if it was due to the heat, or maybe they did not need a good, qualified resident. I am not saying that the staff did not take her outward appearance and assume that she could not afford the property and that's why they did not take the time needed to show her the property. I feel like some in our industry try to take people at face value and sum up their abilities to qualify by their appearance and not by their qualities. I think they were too pre-occupied with their own issues to give her the proper customer service that people should be able to expect when dealing with the housing industry. If that is the way their office is run, they might as well just close the office and leave brochures. I'm unsure why she was asked time and time again if she had ever visited the property other than to again touch on the opinion that they felt she was unqualified traffic. Or then again, maybe they need to have better communication within the office staff as to what information has already been given to the prospect.

—*Diane Black*

After reading the story I was appalled at the total rudeness that the sales people and the receptionist put forth. There is no impression like the first one. Discrimination may or may not have occurred. What did occur was pure laziness. Is their community so large that they don't need to sell? Do these employees know that the customer is the one that pays the paycheck each week?

If I were treated that way, I wouldn't rent there and would tell everyone I know not to rent there. There are other places to live.

Readers Say YES
Not only did they show discrimination, they were rude, unaccommodating, and showed no courteous customer service skills. Would a prospective resident feel comfortable moving there?

—*Mamie Schrean, CAM*

I'm a property manager of a community with 85 units. I'm the only one here to sell the product, so it's more one-on-one, and everyone gets the VIP treatment when they come in. I sit down with them, listen to their needs, and show what I have available. This way they can choose what they like. I don't have models, I show the actual apartment they will get.

Discrimination? Probably not. Rude, lazy, uncaring, ready for a career change? Definitely!

—*Dave Matthew*

I don't think it is discrimination, it is people who don't enjoy what they do and have lousy customer service skills. You can't really decide on just one case if it is discrimination unless you have another scenario to compare it to. Did these employees treat others like this? I think that in this day and age, good leasing people are hard to come by. They are required to do so much and they begin to feel unappreciated and have a "What's-in-it-for-me?" attitude. I am lucky to have such a wonderful staff and would be appalled if they treated any one of our customers like this person in the article was treated. Aren't we all struggling to reach a higher occupancy? You aren't going to get it by treating customers like this.

—*Sheri Terrell, CAM*

Discrimination: Yes

My opinion is yes, there was discrimination, but also, laziness, rudeness, unprofessional behavior, inattentiveness and total disregard of the potential resident. These are the types of managers and/or leasing personnel that give us all a bad name.

If I were that woman, I would find out the name of the management company and write to them. And if I were the company receiving the complaint, I would fire them. Their conduct is unacceptable for any reason.

—*Deborah Johnson*

Not only did they show discrimination, they were rude, unaccommodating, and showed no courteous customer service skills. Would a prospective resident feel comfortable moving there?

—*Mamie Schrean, CAM*

Indeed the intent was to make this person so uncomfortable that they would lose interest and leave. Offer them no assistance so that when they exited they would make a beeline straight to their car, vowing not to come back to this community. Because basic human nature is: I feel uncomfortable and therefore do not want to reside here.

The effect was definitely discrimination, based on what they had observed, not going over their guest card, not a thank you or acknowledgement whatsoever.

Cause. Where most managers fail in their job is where they are too busy trying not to qualify the person in and they qualify great people out. And, I thank them because as soon as they do I welcome them all.

—**Cassandra Watkins**

Discrimination: Maybe

This scenario looks to me like very poor customer service on the part of the property. As a new community, its staff must be doing everything possible to lease prospective residents. The leasing climate is so cold right now that some apartment communities in Irving, Texas, for example, are giving away three to four months of free rent.

I do not believe the intent of the employees was to discriminate, although it sounds like the woman was being discriminated against on this occasion. Even though she was not greeted, ignored by the staff and made to wait long periods without being acknowledged, I did not notice any overt discrimination. If she was mad enough about the way she was treated, there is nothing preventing her from filing a discrimination claim with HUD under familial status. As an apartment locator, I am very familiar with Fair Housing and Texas Real Estate Commission regulations. I think the staff in this case needs to have additional Fair Housing and customer service training to prevent potential lawsuits.

—**Roger Giddan, NALP**

I believe that in order to determine if there was any discrimination, some additional questions must be answered.

Are there current residents in the “new” community and if so, what are the current demographics of those residents?

What was going on that there were so many employees in the sales office at one time? Sales meeting? Party? Regional Director or owners in town? Still, there is no excuse for such poor service, but that could explain the lack of attention.

Finally, I believe “secret shoppers” sent a few times on various days would shed some light on this. Perhaps the employees did not receive proper training, or were poor employees from the start. The secret shopper(s) should be married, single, single with children, black, white, Asian, Hispanic, etc. This will give you a definitive answer to the question of discrimination.

—**Mike Groom**

And now, some words from the woman in the article

Upon leaving the sales office of the community you read about in your October issue of *UNITS*, I puzzled over the odd behavior of the receptionist and salesperson. I knew there were plenty of salespeople present in the office, yet no one had offered to assist me.

I saw the brochure jackets, business cards and four-color amenity folders behind the receptionist’s desk, yet no one offered any of them to me. I saw the dozens of available places to live at the community, yet no one asked me if I wanted to live there. I completed

a guest card and gave my home and office phone numbers, yet no one called and followed up with me. I provided my e-mail address, and never received a follow-up e-mail. I viewed the model homes, yet no one asked me what I thought of them. It was fairly clear to me before even leaving the office that the staff at this particular community had no interest in having me as a resident.

While I truly do appreciate everyone’s opinion on whether or not discrimination took place, in matters of Fair Housing it really doesn’t matter when you get right down to it. In Fair Housing training, we learn that it is not whether you INTENDED to discriminate. What matters is the EFFECT that your actions have on the individual. In this particular case, it is my opinion that I was, indeed, a victim of discrimination.

I filed a Fair Housing complaint the following day. The complaint is currently under investigation. ■



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