

OHIO CIVIL RIGHTS COMMISSION COMMISSIONERS' GUIDANCE MANUAL

DATE: August 1, 2002

TECHNICAL POLICY T - 27

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T – 27 OCCUPANCY STANDARDS

As a general rule, an occupancy standard implemented by a housing provider limiting occupancy to two (2) persons per bedroom is presumed reasonable under R.C.4112.02(K)(3). The reasonableness of an occupancy standard, however, is rebuttable. In making this determination the Commission will consider the size and number of bedrooms, and other special circumstances or relevant factors (e.g., past practices, industry standards, local and state restrictions regarding the maximum number of occupants permitted to occupy housing accommodations, etc.)

Notwithstanding the above, an occupancy standard implemented to circumvent the purposes and goals of Fair Housing Law is per se unreasonable.