

It's About Ethics: Creating and Maintaining Personal and Professional Boundaries
Ruben Rivera-Jackman

15th Annual AHMA-PSW Arizona Conference & Expo July 24 – 25, 2024



Ethics are Fundamental

- To the effective and fair provision of affordable housing.
- By prioritizing ethical practices, housing providers ensure fairness, build trust, comply with legal standards, protect vulnerable populations, and promote social responsibility.
- These efforts contribute to the overall success and sustainability of affordable housing initiatives, benefiting both individuals and communities.



Ethics Defined



Derived from the Greek word ethos which refers to one's "character".

• At its simplest, ethics is a system of moral principles.



Ethics Defined



- Set of guidelines for conduct.
- Although they are not laws or rules, a violation may lead to legal ramifications or negative consequences.



Ethics Defined



- Standards that governs conduct of members of a profession.
- American Association of Service Coordinators (AASC)
- Professional Code of Ethics.



Simply Stated



Study of principles relating to right and wrong conduct.





Ethics



- Affects how people make decisions and lead their lives.
- Helps us navigate the gray area between absolute right and morally wrong.



Our Ethical Orientation is Shaped by our Experiences

- Our ethical orientation evolves as we continue and grow in our career.
- With each ethical dilemma we encounter there are lessons to be learned.

When Do We Use Ethics?

- On a daily-basis.
- Determining best practices in meeting needs of your residents.
- When unsure of how to proceed or struggling with a dilemma. (grey areas)



Principles of Ethics

Autonomy

Justice

Beneficence

Respect

Non-Maleficence

Professionalism

Veracity

Role Fidelity



Autonomy

- Greek word "autos-nomos" meaning self-rule, or selfdetermination.
- Refers to the capacity of a rational individual to make an informed and un-coerced decision.



Right to Self-Determination

Residents have a right to self-determination even if at times we do not agree with their choices or decisions.



Beneficence

Obligation that we engage in actions that promotes well-being and serves best interests of the residents we serve.



Non-Maleficence

- First, Do No Harm!
- Obligation that we act in ways that do not inflict or cause avoidable or intentional harm.



Veracity

- Principle of truth telling grounded in respect for the residents we serve.
- Basic expectation that we are honest in all our interactions.



Justice and Equity

- Requires we act in ways that treat people equitably and distribute benefits and burdens fairly.
- What we do for one, we must do for all.



Respect

- Refers to the concept that we afford and treat all residents with respect.
- All residents deserve the right to fully exercise their autonomy.

Professionalism

Standards of practice for profession that are agreed upon and maintained through widely recognized professional associations. (Code of Ethics: AASC, IREM, NARPM)



Role Fidelity

- Faithful devotion to duty; entails specific loyalties associated with a particular professional designation.
- 1 bad apple may ruin credibility or reputation of the rest.

Ensuring Professionalism and Respect

- Setting clear boundaries with older adults in affordable housing communities is vital to maintaining professionalism and mutual respect.
- Boundaries help delineate the roles of housing providers and residents, ensuring that interactions remain respectful and within the scope of professional duties.

Maintaining Legal and Ethical Standards

- Clear boundaries help ensure compliance with legal and ethical standards, including those related to privacy, discrimination, and conflict of interest.
- Helps prevent any misunderstandings or inappropriate relationships that could undermine trust and respect.



Maintaining Legal and Ethical Standards

Housing providers must adhere to regulations such as the Fair Housing Act and HIPAA (Health Insurance Portability and Accountability Act), which mandate the protection of residents' rights and personal information



Facilitating Effective Service Coordination

- Boundaries enable housing providers to offer effective support services without overstepping their professional roles.
- For instance, while it is appropriate to refer residents to social services or healthcare providers, it is not appropriate to become personally involved in residents' medical or personal affairs.

Boundaries Defined

- A limit or space between you and the residents you serve.
- A clear line of where you begin and your resident ends.
- A dividing line.



A Dividing Line

Distinguishing between two things

What's Okay _____ What's Not Okay

Right and wrong, good and bad, appropriate and inappropriate.

Line that separates the You from the Residents you serve.

Not always be crystal clear.



Our Ethics are Influenced by our Values

- Personal values.
- Personal morals.
- Cultural values.
- Professional and Organizational values.

Personal Boundaries

Built out of a mix of beliefs, opinions, attitudes, past experiences and social learning.



- Self-awareness: know their values.
- Values their own and other people's opinions.
- Gives themselves permission to set boundaries.



- Not afraid to communicate their boundaries clearly.
- Prepares for boundary violations.
- Brings up boundary violations right away.



- Doesn't compromise their values to please others.
- Shares personal information in an appropriate way.
- Cognizant of their feelings.



- Accepts when other say no.
- Doesn't feel guilty saying no to others.
- Prioritizes and practices work/life balance.



Speaks up when treated poorly.

Seeks out support.

Not afraid to ask for help.



Rejects unwanted advances or inappropriate touching.

 Does not touch others without their permission.



Benefits of Promoting Healthy Boundaries

- Increases self-esteem and selfrespect.
- Promotes rapport in a mutually sharing and trusting relationships.
- Protects physical and emotional space from intrusion.



Loose and Porous Boundaries

- Over shares personal information.
- Over involved with other's problems.
- Dependent on the opinions of others.



Loose and Porous Boundaries

- Accepts abuse or disrespect.
- Fears rejection if they don't comply with others.
- Allows inappropriate touching even if they feel uncomfortable.



Rigid Boundaries – A Wall

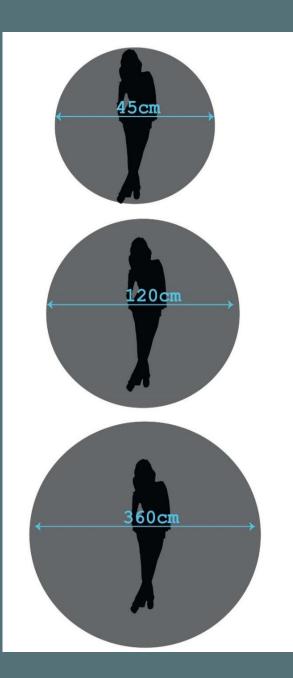
- Avoids intimacy and close relationships at all cost.
- Unlikely to ask for help.
- Has few or no close relationships.



Rigid Boundaries - A Wall

- Overly protective of personal information.
- Difficulty saying no to others.
- Keeps others at a distance to avoid the possibility of rejection.

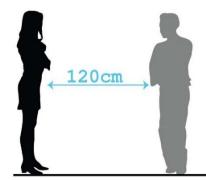




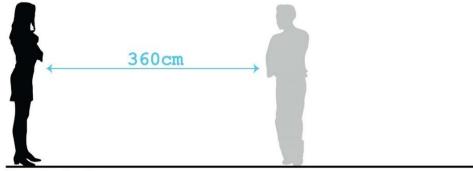


Personal Space

Intimate Zone



Friend Zone



Social Zone

Maintaining Physical Boundaries

- Establish clear physical boundaries.
- Do not touch your resident in any inappropriate way.
- Inappropriate forms of touching might include hugging, caressing or holding your resident's hand.



Treat with Dignity

Always address older adults with respect, using proper titles unless invited to do otherwise.

Example: Use "Mr. Smith" or "Ms. Johnson" rather than first names unless given permission.



Maintaining Physical Boundaries

- While you might think these gestures show compassion or care, it is possible they could make your resident feel uncomfortable.
- Ask yourself if there is even the smallest possibility your resident could be psychologically harmed by your touching.

Maintaining Physical Boundaries

 Prevents enabling and codependency behaviors.

 Reduces the risk of exploitation and acts of abuse.



Acts of Abuse

Any misuse of power, betrayal of trust and respect, or inappropriate intimacy between the Housing Professional and the individuals they serve that could reasonably be expected to cause physical, emotional, sexual, or financial harm and neglect.

Protecting Vulnerable Populations

- Affordable housing often serves vulnerable populations, including low-income families, seniors, and individuals with disabilities.
- Ethical practices ensure that these populations are treated with dignity and respect.
- Protecting resident rights, ensuring safe and habitable living conditions, and providing necessary support services are ethical obligations that help safeguard the well-being of residents.



Best Practice for Setting Boundaries

Encourage Open Communication

 Encouraging open communication and providing channels for reporting unethical behavior without fear of retaliation fosters a culture of integrity and accountability.



Best Practice for Setting Boundaries

Encourage Open Communication

- Foster an environment where residents feel comfortable voicing concerns about boundary issues.
- Having a clear, accessible process for reporting concerns helps address issues promptly and appropriately.

Ethics in affordable housing is crucial to ensure that all individuals have equal access to housing opportunities.

Affordable housing providers must adhere to anti-discrimination laws, such as the Fair Housing Act, to prevent biases based on race, religion, gender, or socioeconomic status.



By maintaining ethical standards, housing providers promote fairness and create inclusive communities where everyone has the opportunity to thrive.



Professional Boundaries

Codes of conduct define what behavior is appropriate on the job and what behavior is inappropriate and unacceptable.

Examples: Establish standards regarding physical interactions so employees do not touch one another inappropriately.



Helps employees understand their individual roles and responsibilities.

Discourages inappropriate behavior by setting rules for conduct within the workplace.



Helps employers develop policies and procedures for disciplinary action for employees who violate codes of conduct.

Allows the workplace to function adequately. Increased productivity and staff retention.



Provides a safe atmosphere where employees are mutually respected.

Clearly establishes expectations which allows for safe connections and interactions.



Importance of Setting Professional Boundaries

 Provides a clear understanding of roles and responsibilities.

 Reduces anxiety as roles, responsibilities and expectations are clear.



Importance of Setting Professional Boundaries

- Minimizes risk management and liability for the staff member and the Organization.
- Safeguards both the employee's and employer's reputation
- Being friendly, not friends.

Power Differential

There is an inherent power differential and imbalance in the relationship between us and the residents they serve.



Power Differential

Maintaining healthy boundaries helps us control this power differential and promotes safe connections with our residents while providing services and meeting their needs.



Power Differential

The responsibility for maintaining healthy boundaries is our responsibility even if the residents we serve doesn't ask for or want the boundaries.



- Choosing sides.
- Making exceptions.

- Keeping secrets.
- Giving or receiving gifts.



 Helping outside of your role and job responsibilities.

Borrowing or lending money.

 Feeling as if nobody but you has interest in the resident.



 Feeling as if nobody but you can help the resident.

- Making inappropriate requests.
- Feeling responsible for the resident's failures or successes.



 Confiding personal or professional issues or troubles.

- Thinking about residents when away from work.
- Venting about other residents or team members with residents.

- Developing personal relationship or physical attraction toward resident.
- Providing residents with special attention or treatment.
- Engaging in inappropriate physical touching.



 Socializing with residents outside of work.

- Denying boundary violation when brought to their attention.
- Referring to resident as a friend or as family.



Question for Introspection

Does this resident mean something special to me?



- Am I treating this resident differently?
- Are my actions in the best interest of the resident?

- Dual relationships are relatives of conflicts of interest.
- The concept describes when a housing professional has multiple relationships with a resident, whether professional, social, or business.



- It is understood across the interprofessional workforce that dual relationships can and will occur; at times, they are unavoidable.
- Example of challenges re: dual and multiple relationships include attending resident's life-cycle events, giving residents home telephone numbers for emergency circumstances, or giving isolated residents gifts at holiday time.



Avoid Personal Relationships

- Avoid forming personal relationships with residents that could compromise their professional responsibilities.
- Example: Refrain from socializing with residents outside of community events.



- Ensure that any personal connections (e.g., friends or family) are disclosed and managed appropriately.
- Example: If a staff member's family moves into the community, they should not be involved in their housing decisions.



Measures for Minimizing Risks

- Set healthy boundaries from the outset.
- Secure informed consent of residents.
- Discuss both potential risks and benefits.
- Consult with other professionals to resolve any dilemmas.



Measures for Minimizing Risks

- Seek supervision when needed.
- Document in case notes.
- Examine your own motivations.
- Refer the resident to another team member when necessary.



How are Professional Boundaries Established and Enforced?

- ®By Federal, State, local laws Examples: Criminal, Civil Rights, Fair Housing and Tenant and Landlord Laws
- ®By licensing and certifying bodies. (HUD, NAHRO, LITHC)
- ®National Associations/Affiliations



How are Boundary Violation Decisions Made?

Depends on many variables, including:

- Title and position
- Experience, expertise, education and skills
- Length of time in the profession



How are Boundary Violation Decisions Made?

Location of the work

Organization's risk tolerance

Organizational culture and values



How are Professional Boundaries Established and Enforced?

- ®By your Organization's policies & procedures and protocols.
- ®Standards of Practice Manual (RSC SOP) (ACOP)
- ®HR Employee Handbook



Benefits of Promoting Healthy Boundaries

- Empowers individuals to make healthy choices and take responsibility for their own behaviors.
- Cultivates a positive, productive, and safe work environment.



Conflict of Interest

- Avoid situations where personal interests could conflict with professional responsibilities.
- For instance, do not use professional position to gain personal benefits or favors from residents or contractors.



Confidentiality

- Respect the privacy of residents and applicants by safeguarding their personal information.
- Only share information with authorized personnel and when legally required.
- Example: Avoid discussing personal details of one resident with another.



Issues that may be shared with Property Management

Need-to-Know Basis

- Illegal Activity (Federal Law prevails)
- Abuse of self or others
- Lease violations
- Services and referrals rendered





Integrity and Honesty

- Always be truthful and transparent in all dealings.
- Misrepresentation of information or deceptive practices undermine trust and can lead to severe consequences.



Fairness and Non-Discrimination

- Treat all clients and applicants equally regardless of race, religion, gender, sexual orientation, or socioeconomic status.
- Implement policies and practices that promote inclusivity and prevents discrimination.

Compliance with Laws and Regulations

- Adhere to all federal, state, and local housing laws, including fair housing laws, tenant rights, and building codes.
- Participating in regular training and staying updated on legal changes are essential. (KUDOS)



Accountability and Transparency

- Maintain clear and accessible records of all transactions and decisions.
- Be prepared to explain and justify actions taken in the course of your professional duties.



Document all interactions

- Maintain thorough documentation of interactions with residents, especially when providing support or making referrals.
- This transparency helps protect both the residents and the housing providers.

- Allegations of sexual misconduct can be difficult to defend.
- Acts of sexual misconduct that are witnessed are reportable to local law enforcement authorities depending on the state. (Mandatory reporter laws/APS/CPS)



- Disclosing the resident's personal information, which violates the privacy provisions of the Health Insurance Portability and Accountability Act (HIPAA).
- Former or current residents could be harmed due to the housing professional's privileged knowledge.



 Housing professional who fails to exercise "due care" in fulfilling their professional responsibilities can be found guilty of civil liability.

 Negligence may be found if the wrong committed results in an injury or damages.



- Housing professional may lose their job and/or be prosecuted.
- Housing professional may compromise their reputation, jeopardize their credentials, violate their code of ethics, and negatively impact their professional affiliations.



A situation that requires a choice between options that are or seem equally unfavorable or mutually exclusive.



- Conducting property management duties: serving lease violation notices, collecting rent, lease enforcement, etc.
- Running errands, providing personal care or housekeeping duties.
- Transporting residents in personal vehicles.

 Witness residents engage in illegal activity or unsafe environment.

 Asked to engage in activities clearly outside the scope and bounds of the position.



Requested to provide the following services:

- Power of attorney
- Guardianship
- Notary/Witness on documents

(while not illegal, if there are other community-based options that can serve in this capacity best to defer)



- Giving or loaning money to residents or accepting money from residents.
- Handling resident's finances. (access to checking account, credit cards, etc.)
- Engaging in inappropriate personal and/or intimate relationships with residents.

"ETHIC" Model

- ®E = Examine your own personal and professional values
- ®T = Think about possible violation of any Laws and Ethics
- ® H = Hypothesize Actions (pros & cons)
- ®I = Identify Winners & Losers (win-win)
- ®C = Consult With Others
 (Supervisor/Mentor)



Final Thoughts

- ®Do the best YOU can. (Competence)
- ®What you do for one, you do for all. (Justice/Fairness)
- ®Operate within the bounds of your educational training and expertise



Final Thoughts

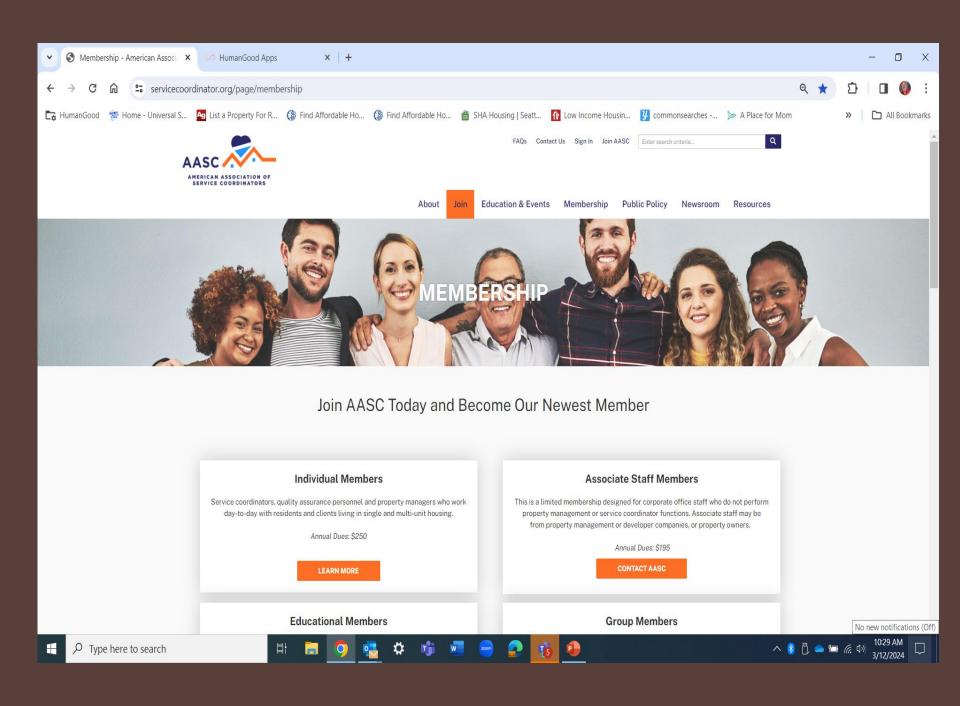
- ®First Do No Harm. (Benevolence)
- ®Request and participate in training, ask questions (Knowledge)
- ® Ask for assistance & support.
 (Supervision)



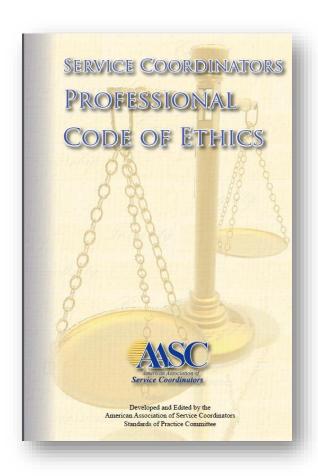
Resources

- HUD Management/Agent Handbook: www.hud.gov/offices/hsg/mfh/scp/proguid ance.cfm
- HIPAA Information <u>www.hhs.gov/ocr/privacy/hipaa/understa</u> <u>nding/coveredentities/index.html</u>
- Privacy Act: www.usdoj.gov/oip/privstat.htm



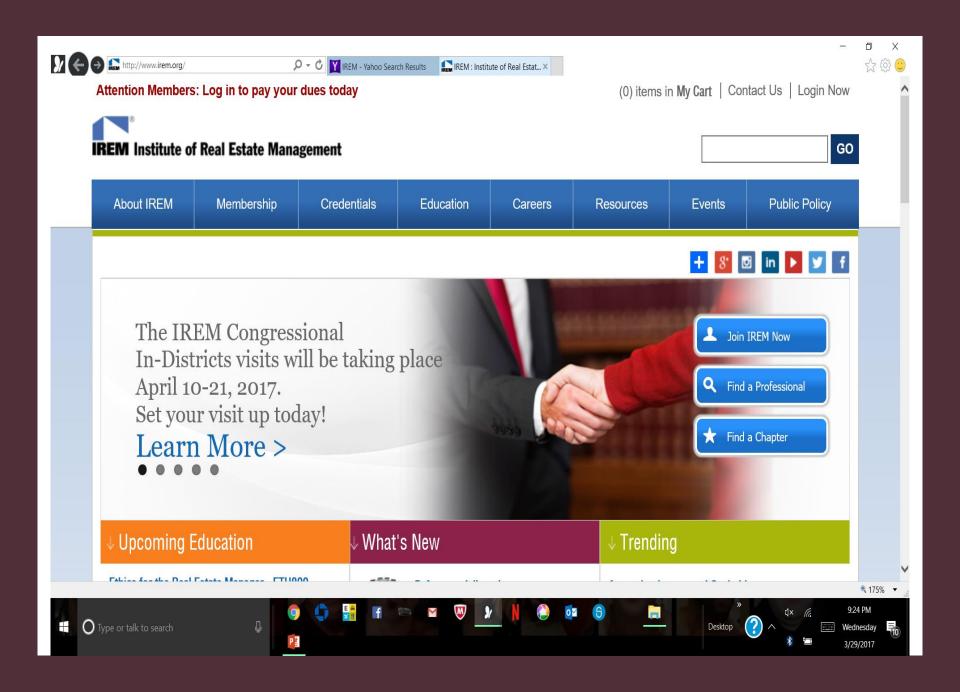


AASC Code of Ethics



https://www.servicecoordinator.org/page/CodeofEthics





INSTITUTE OF REAL ESTATE MANAGEMENT **CODE OF PROFESSIONAL ETHICS**

Introduction

The purpose of this Code of Professional Ethics is to establish and maintain public confidence in the honesty, integrity, professionalism, and ability of the professional real estate manager. The Institute of Real Estate Management and its Members intend that this Code and performance pursuant to its provisions will be beneficial to the general public and will contribute to the continued development of a mutually beneficial relationship among CERTIFIED PROPERTY MANAGER* Members, CPM* Candidates, ACCREDITED RESIDENTIAL MANAGER* Members, ACCREDITED COMMERCIAL MANAGER Members, Associate Members, and other Members, national and international professional real estate associations and organizations, and clients, employers, and the public.

The Institute of Real Estate Management, as the professional society of real estate management, seeks to work closely with all other segments of the real estate industry to protect and enhance the interests of the public. To this end, Members of the Institute have adopted and, as a condition of membership, subscribe to this Code of Professional Ethics

IREM® Member Pledge

I pledge myself to the advancement of professional real estate management through the mutual efforts of Members of the Institute of Real Estate Management and by any other proper means available to me.

I pledge myself to maintain the highest moral and ethical standards consistent with the objectives and higher purpose of the Institute.

I pledge myself to seek and maintain an equitable, honorable, and cooperative association with fellow Members of the Institute and with all others who may become a part of my business and professional life. I recognize and support the need to preserve and encourage fair and equitable practices and competition among all who are engaged in the profession of real estate management.

I pledge myself to place honesty, integrity, and industriousness above all else and to pursue my gainful efforts with diligent study and ongoing education so that my services shall be beneficial to the general public and my obligations to my clients shall always be maintained at the highest possible level

I pledge myself to comply with the principles and declarations of the Institute of Real Estate Management as set forth in its Bylaws, Statement of Policies, and this Code of Professional Ethics.

Article 1. Loyalty to Client, Firm, and/or Employer

A CERTIFIED PROPERTY MANAGER*, CPM* Candidate, ACCREDITED RESIDENTIAL MANAGER®, ACCREDITED COMMERCIAL MANAGER or Associate Member (hereinafter referred to as MEMBER) shall at all times exercise loyalty to the interests of the client and the employer or firm with whom the MEMBER is affiliated. A MEMBER shall be diligent in the maintenance and protection of the interests and property of the employer and of the client. A MEMBER shall not engage in any activity, that could be reasonably construed as contrary to the interests of the client of employer. If an activity would result in a conflict between the interests of the firm or employer and the interests of the client, then the interests of the client shall take precedence

IREM Institute of Real Estate Management

Article 2. Confidentiality

A MEMBER shall not disclose to a third party any confidential or proprietary information which would be injurious or damaging to a client concerning the client's business or personal affairs without the client's prior written consent, unless such disclosure is required or compelled by applicable laws and

Article 3. Accounting and Reporting

Pursuant to the terms of the management agreement, a MEMBER shall use reasonable efforts to provide accurate, auditable financial and business records and documentation concerning each asset managed for the client, which records shall be available for inspection at all reasonable times by the client. A MEMBER shall furnish to the client, at mutually agreed upon intervals, regular reports concerning the client's assets under management. A MEMBER shall not exaggerate, misrepresent, or conceal material facts concerning the client's assets or any related transaction

Article 4. Protection of Funds

A MEMBER shall at all times serve as a fiduciary for the client and shall not commingle personal or company funds with the funds of a client or use one client's funds for the benefit of another client, but shall keep the client's funds in a fiduciary account in an insured financial institution or as otherwise directed in writing by the client. A MEMBER shall at all times exert due diligence for the maintenance and protection of the client's funds against all reasonably foreseeable contingencies and losses.

Article 5. Relations with Other Members of the Profession

A MEMBER shall not make, authorize or otherwise encourage any false or misleading comments concerning the practices of Members of the Institute of Real Estate Management. A MEMBER shall truthfully represent material facts in their professional activities. A MEMBER shall not exaggerate or misrepresent the services offered as compared with the services offered by other real estate managers. Nothing in this Code, however, shall restrict legal and reasonable business competition by and among real estate managers.

Article 6. Contracts

Any written contract between a MEMBER and a client shall be in clear and understandable terms, and shall set forth the specific terms agreed upon between the parties, including a general description of the services to be provided by and the responsibilities of the MEMBER.

Article 7. Conflict of Interest

A MEMBER shall not represent personal or business interests divergent from or conflicting with those of the client or employer and shall not accept, directly or indirectly, any rebate, fee, commission, discount, or other benefit, monetary or otherwise, which could reasonably be seen as a conflict with the interests of the client, employer or firm, unless the client or employer is first notified in writing of the activity or potential conflict of interest, and consents in writing to such

Article 8. Managing the Assets of the Client

A Member shall exercise due diligence in the maintenance and management of the client's assets and shall make all reasonable efforts to protect it against all reasonably foreseeable contingencies and losses.

Article 9. Duty to Former Clients and Former Firms or Employers

All obligations and duties of a MEMBER to clients, firms, and employers as specified in this Code shall also apply to relationships with former clients and former firms and employers. A MEMBER shall act in a professional manner when, for whatever reason, relationships are terminated between a MEMBER and a client and firm or employer. Nothing in this section, however, shall be construed to cause a MEMBER to breach obligations and duties to current clients and firm or employer

Article 10. Compliance with Laws and Regulations

A MEMBER shall at all times conduct business and personal activities with knowledge of and in compliance with all applicable laws and regulations.

Article 11. Equal Opportunity

A MEMBER shall not deny equal employment opportunity or equal professional services to any person for reasons of race, color, religion, sex, familial status, national origin, age, sexual orientation, gender indentity, or handicap and shall comply with all applicable laws and regulations regarding equal opportunity.

Article 12. Duty to Tenants and Others

A MEMBER shall competently manage the property of the client with due regard for the rights, responsibilities, and benefits of the tenants or residents and others lawfully on the property. A MEMBER shall not engage in any conduct that is in conscious disregard for the safety and health of those persons lawfully on the premises of the client's property

Article 13. Duty to Report Violations

Each MEMBER has a responsibility to provide the Institute of Real Estate Management with any significant factual information that reasonably suggests that another MEMBER may have violated this Code of Professional Ethics. Such information must be presented as outlined in the Institute of Real Estate Management's Bylaws and Statement of Policies.

Article 14. Enforcement

Effective January 1, 2017

The interpretation of compliance with this Code is the responsibility of the ethics boards of the Institute of Real Estate Management, Any violation by a MEMBER of the obligations of this Code and any disciplinary action for violation of any portion of this Code shall be determined and carried out in accordance with and pursuant to the terms of the Bylaws and Statement of Policies of the Institute of Real Estate Management. The result of such disciplinary action shall be final and binding upon the affected MEMBER and without recourse to the Institute, its officers, Governing Councillors, Members, employees, or agents

Subscribed to by:_			











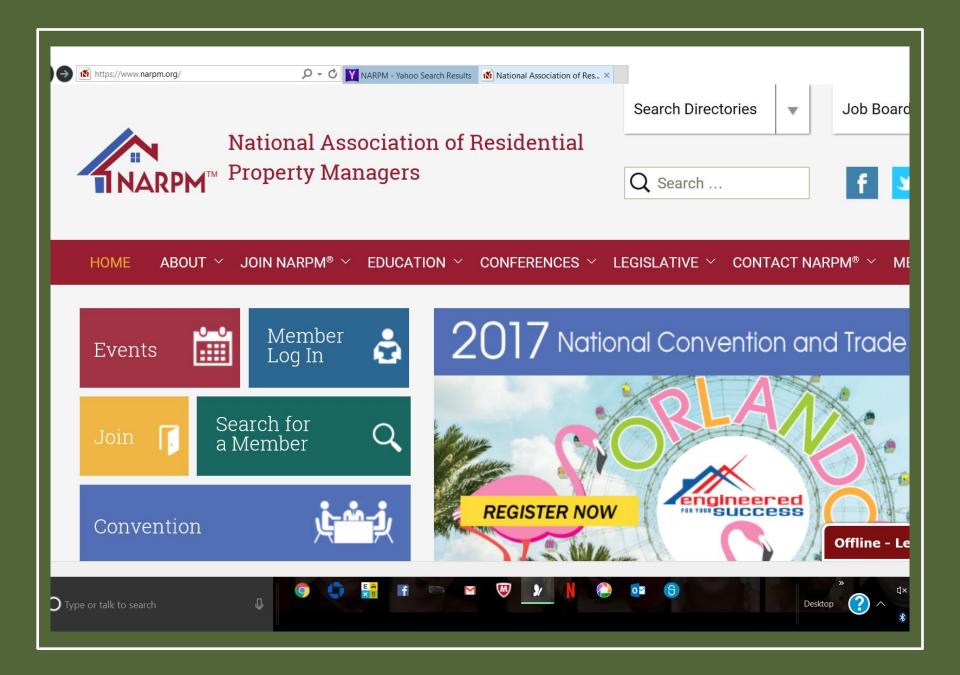


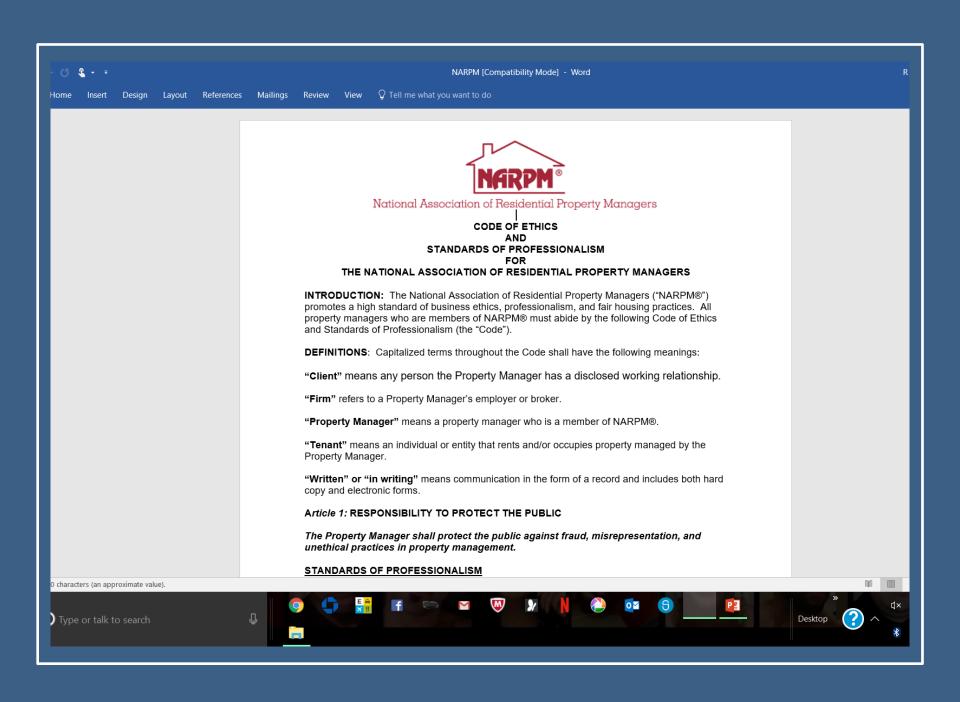












Ruben Rivera-Jackman, MNPL

(206) 337-5377

ruben.riverajackman@humangood.org

