

Hoarding Officially Recognized as Mental Disorder in May 2013



By [Tim Blackwell](#) | Apr 11, 2013

When it officially stamps hoarding as a disorder in May, the [American Psychiatric Association](#) (APA) will confirm what property management companies and owners and Fair Housing practitioners have already known: Hoarding is a mental disorder and a protected class.

Hoarding is one of 11 disorders newly classified in fifth edition of the [Diagnostic and Statistical Manual of Mental Disorders](#) (DSM-5), the first updated edition since 1994 of the APA's book used by clinicians and researchers to diagnose and classify mental disorders. This official classification should serve as a reminder that handling hoarders is a delicate situation and, if not handled correctly, could have serious Fair Housing implications.

Fair Housing, Hoarding, and Industry Reaction

Although hoarding has long been considered a disability under [Fair Housing laws](#), the APA's recognition of it as a mental disorder effectively cements this understanding. Now more than ever, hoarders –

who are now on the same list of disorders that includes Posttraumatic Stress Disorder (PTSD) and Autism Spectrum Disorder – should be treated by property management teams the same as others with mental disabilities.

Hoarding has been a hot topic in the property management industry, prodding apartment associations and property owners to seek answers and training to deal with an aged-old disorder that has gone main stream. At last year's National Apartment Association Education Conference & Exposition in Boston, attendees crammed a large meeting room to learn about how to handle residents with hoarding tendencies and work within Fair Housing laws.

The DSM-5 classification will punctuate the need for properties to use caution and common sense to try and remedy a delicate situation.

“In the Fair Housing world, its just re-enforcement of what we already know,” Lynn Dover, an attorney at San Diego-based Kimball, Tirey and St. John LLP said. “Certainly from a client education standpoint, I think it may make it a little easier for us to convince them it is a disability even though it's been a disability all along. For those who might be reluctant to view hoarding as a disability, the classification of hoarding as a recognized mental disorder may help.”

Resident Retention: 4 Tips for Helping Hoarders

Property management teams should take a proactive but cautious approach when working with a resident who hoards, Dover says. Because the condition is considered a mental disability, landlords should generally try to accommodate first. That means closely working with the hoarder to try to find a way to retain residency. She recommends establishing mutual goals to remedy the situation.

Here are some suggested goals that property management teams should keep in mind when dealing with a hoarder:

1. Initiate and Accommodate

Hoarders usually don't ask for accommodation. In fact, many are secretive and their disorders may go unnoticed for years until a neighbor complains or maintenance has to enter the apartment to make repairs. While hoarders should ask for accommodation, Fair Housing law trends suggest that if a landlord knows or should have known about the disability then there is a duty by the property to accommodate, Dover said. The cost to hire attorneys to defend a Fair Housing complaint can be expensive, especially if a fair housing enforcing agency finds that the owner should have tried to accommodate before taking steps to evict. Thus finding an ongoing, workable process to minimize issues is optimal. Be rational and don't jump the gun.

2. Avoid Eviction

Consider all avenues to avoid evicting the hoarder, including creating and monitoring a plan for the resident to clean up the apartment. The cost for the hoarder or someone close to the situation to clean up an apartment is far less than if the property has to contract for it. Removing belongings (which can include hazardous materials removal) can cost \$10,000-\$30,000.

3. Create Reasonable and Safe Expectations

Prepare for a long road ahead to the end goal, which needs to be outlined in a written agreement and monitored. For the outcome, strive for creating a safe and sanitary environment in the apartment. Don't expect the end product to be a page out of House Beautiful.

4. Document the Eviction Process

If the plan doesn't work, the only real option may be eviction. About 39 percent of hoarders succeed with professional assistance. If the hoarder

simply can't or won't comply after reasonable efforts have been made to resolve the situation, property managers and owners should be prepared to defend their case. Document, document, document!

The updated DSM-5 confirms what the multifamily industry has already known about handling hoarders. More importantly, it serves as a reminder that hoarders should be treated the same as other residents with disabilities.