

Navigating ICE and Law Enforcement: A Guide for Landlords and Property Managers

March 27, 2025

By William P. Cannon, III and Jennifer Jean-Gilles



As immigration enforcement efforts evolve, landlords and property managers must prepare to respond appropriately when interacting with Immigration and Customs Enforcement (ICE) or other law enforcement agencies. Understanding legal obligations, protecting tenant privacy, and establishing clear policies are important to ensuring compliance while minimizing legal and operational risks.

Establishing Policies and Procedures

One of the most important steps property managers can take is to develop a written policy outlining how to respond to law enforcement during interactions. Having a clear plan in place ensures that all staff members—whether property managers, leasing professionals, or maintenance teams—understand their role in these situations. A well-documented policy helps:

- Protect tenant privacy and confidentiality.
- Ensure legal compliance with federal, state and local laws.
- Maintain consistency in responses to law enforcement inquiries.

Because property management staff frequently changes, a written policy ensures continuity in handling these situations, reducing the likelihood of errors or inconsistencies.

Understanding Law Enforcement Agencies and Documentation

When law enforcement officers arrive at a property, they may be from different agencies, including ICE, the Department of Homeland Security (DHS) or the Department of Justice (DOJ). Each agency may present different types of legal documents, and it is critical to understand the distinctions:

- **Criminal Warrants** – Issued by a judge, these warrants may grant law enforcement the right to access a property or obtain specific information.
- **Civil (Administrative) Warrants** – Issued by immigration officers rather than a judge, these do not automatically grant access to private property.
- **I-9 Audits** – Requests for employment eligibility documentation; typically, businesses have three days to respond.

It is essential not to assume that any document presented requires immediate action. Instead, property managers should take the time to review the warrant, confirm its validity and consult legal counsel as needed.

Protecting Tenant Confidentiality and Managing Risk

Tenant privacy must be safeguarded during interactions with law enforcement. Property managers should follow these steps when responding to a request for information or access:

- **Request a Copy of the Warrant** – Always obtain a physical or digital copy before taking any action.
- **Verify the Warrant's Scope** – Determine whether it is a criminal or administrative warrant and whether it grants law enforcement the right to enter the property.
- **Follow Internal Protocols** – Staff should notify the designated corporate or legal contact before responding to the request.
- **Minimize the Disclosure of Information** – Only provide what is legally required.
- **Avoid Immediate Compliance** – Taking a moment to review the request and consult legal counsel can prevent unnecessary disclosures.

Centralizing Decision-Making

A key part of risk management is ensuring that decisions regarding law enforcement interactions are made at a corporate or senior management level rather than on-site. Best practices include:

- Designating a specific contact within corporate or ownership to handle law enforcement inquiries.
- Training staff to refer all law enforcement requests to the designated corporate/legal contact.
- Establishing a clear chain of command so that no one makes a rushed or uninformed decision under pressure.

Fair Housing Considerations

In some jurisdictions, immigration or citizenship status is a protected class under fair housing laws. Locations such as Washington, D.C., Montgomery County, MD, and Prince George's County, MD, have legal protections prohibiting landlords from inquiring about a tenant's immigration status during the leasing process. Property managers should be mindful of these laws when handling law enforcement requests related to immigration enforcement.

What to Tell Tenants

Property managers should be cautious about providing legal advice to tenants. If tenants ask what to do in the event of an ICE visit, the best response is to direct them to legal aid organizations or immigration attorneys. Providing legal guidance could lead to liability if tenants misinterpret the information.

Key Takeaways

A clear, written policy helps your team respond consistently and appropriately when law enforcement arrives. Centralizing decision-making ensures that requests are escalated to the correct legal or corporate representative, reducing the risk of rushed or uninformed decisions. It's also important to distinguish between different types of warrants—criminal warrants typically require immediate action, while administrative ones do not. Taking time to verify documents can help prevent legal missteps. Property managers should also be mindful of fair housing laws, which may prohibit asking tenants about their immigration status. And instead of offering legal advice, direct tenants to reputable legal resources.

With immigration enforcement policies constantly evolving, staying proactive is key. Property managers can comply with the law by setting clear guidelines, training staff, and consulting legal counsel when necessary while protecting their businesses and tenants.