TITLE VIII OF THE CIVIL RIGHTS ACT OF 1968 (FAIR HOUSING ACT, AS AMENDED 1988)

Prohibits Discrimination in the following:

- Sale
- Rental
- Advertising
- Provision of brokerage services
- Residential real estate related transactions
PROTECTED CLASSES

- RACE
- COLOR
- RELIGION
- NATIONAL ORIGIN
- SEX
- FAMILIAL STATUS
- HANDICAP
DISCRIMINATORY HOUSING PRACTICES

The following practices are prohibited by law:

- Failing to accept or consider a bona fide offer
- Refusing to sell to or rent, or negotiate for the sale or rental of a dwelling
- Imposing different sale prices, or rental charges
- Using different qualifications, criteria and standards
- Providing different information, or promotional activity
- Evicting any tenant on a protected basis or the characteristics of a tenant's guests
DISCRIMINATORY HOUSING PRACTICES

- Restricting housing choices
- Steering
- Exaggerating drawbacks
- Discouraging inspections, purchase or renting
- Not providing information on desirable features of a dwelling
- Assigning a person to a particular section of a community, neighborhood, development or floor of a building
DISCRIMINATORY HOUSING PRACTICES

- Discharging or taking adverse action against an employee, broker, or agent
- Using codes or devices to segregate or reject persons
- Refusing to show listings in certain areas
- Refusing to approve a person for occupancy in a cooperative dwelling
DISCRIMINATORY REPRESENTATIONS ON THE AVAILABILITY OF DWELLINGS

- It is unlawful to provide inaccurate or untrue information about the availability of dwellings for sale or rent.

- Examples:
  - Indication through words or conduct that an available dwelling has been sold or rented.
  - Representing or enforcing lease provisions that preclude the sale or rental of a dwelling to a person.
PROHIBITED DISCRIMINATION IN TERMS, CONDITIONS/PRIVILEGES/SERVICES/ FACILITIES

- Imposing different terms, conditions or privileges
- Deny or limit services or facilities
- Using different provisions in leases, or contracts (i.e., rental charges, security deposits)
- Denying or limiting discounts, rebates or gifts
- Failing or delaying maintenance or repairs of sale or rental dwelling
- Limiting the use of privileges, services or facilities associated with a dwelling
PROHIBITION AGAINST DISCRIMINATION BECAUSE OF HANDICAP

It is unlawful to discriminate due to a handicap!

- We cannot change our race or ethnic origin, but there is one protected group that we can all perhaps join someday – the disabled or chronically ill.
FAMILIAL STATUS AND HOUSING FOR THE ELDERLY

- Law does not limit restrictions on the number of occupants to live in a dwelling.
- Law regarding familial status may not apply to dwellings provided under state or other federal programs for the elderly (such as the RHS’ MFH Program for the Elderly).
- The Secretary of HUD has issued an exception for the 515 elderly housing program.
PROHIBITED INTERFERENCE, COERCION OR INTIMIDATION

- Coercing a person, orally or in writing to deny or limit benefits provided with the sale or rental of a dwelling or in connection with a residential real estate-related transaction
Threatening an employee or agent with dismissal or an adverse action for assisting a person seeking access to the sale or rental of a dwelling or any real estate-related transaction.

Intimidating or threatening any person because he/she is engaging in activities designed to make others aware of or to exercise their rights protected by the FHA.
FAIR HOUSING COMPLAINT PROCESSING

Who may file a complaint:

- Any aggrieved person may file a complaint no later than 1 year after an alleged discriminatory housing practice(s) has occurred or terminated.

- The complaint may be filed with the assistance of an authorized representative of an aggrieved person, including any organization acting on behalf of an aggrieved person.
WHERE TO FILE COMPLAINTS

- Complaints may also be filed in person or by mail with the Office of Fair Housing and Equal Opportunity, Department of Housing and Urban Development (HUD), Washington, D.C. 20410, or a HUD Regional Office.
Sanctions

- Victims of discriminatory housing practices may seek civil penalties through the Department of Housing and Urban Development’s administrative process, or by private lawsuit.

- Participants found to have engaged in discriminatory housing practices will be subject to the civil penalties set forth in the Fair Housing Act.
Thank you for taking the time to review this fair housing PowerPoint presentation