

# *Race, Color, Religion, Sex, Familial Status, National Origin, & Handicap*

## The Laws

**Fair Housing Act (42 U.S.C §3601 et seq., Title VIII of the Civil Rights Act of 1968 with the Fair Housing Amendments Act of 1988)** The law prohibits discrimination in the sale, rental, or financing of housing on the basis of race, color, national origin, religion, sex, familial status and handicap (disability).

**The Civil Rights Act of 1866** states that **ALL** housing—public and privately owned or managed, must be sold or rented without regard to a person’s race or color (Also refer to U.S. Supreme Court decision, Jones vs. Mayer).



## Common Forms of Discrimination:

**Refusal to rent, sell or negotiate for housing**—because of your race, color or national origin.

**Steering**—offering housing choices **ONLY** in certain neighborhoods selected by the realtor.

**Misrepresenting the availability of Housing**—stating housing is unavailable when in fact it is available.

**Setting different terms, conditions or privileges for the sale or rental of housing**—you are made to meet greater income requirements, charged higher rent, additional fee or security deposit, and/or do not get needed repairs.

**Discriminatory Advertisement**—advertising to preferred groups of people only.

**Blockbusting**—real estate agents persuade owners to sell or rent by telling them that minority groups are moving into the neighborhood.

**Discrimination in Mortgage Lending, Property Insurance or Appraisals**—Refusal of information about home mortgage loans, denial of the loan, or imposition of different terms or conditions on the loan; denial of property insurance, or conducting property appraisals in a discriminatory manner.

**Use of Threats, Intimidation, or Coercion**—any attempts to stop you from renting or buying a house in a neighborhood that is racially or ethnically different from you, stating that neighbors do not want people of your color or ethnic background in their community.

## Residential Housing Covered by the Fair Housing Act:

- Single Family homes owned by private persons using a real estate broker and/or discriminatory advertising to sell/rent the home.
- Single Family home NOT owned by private persons (e.g., corporations or partnerships) even if a broker is not used to see or rent the home.
- Multifamily dwellings with five or more units, including rooming houses.
- Multifamily dwellings with four or less units, if the owner DOES NOT live in one of the units.

## What If You Are Not A U.S. Citizen:

You do not have to be a U.S. Citizen to file a complaint. The Fair Housing Act protects all people, regardless of immigration status, from illegal housing discrimination. However, if you are an undocumented resident there are greater risks involved in taking legal action. If you are concerned that your lack of legal immigration status may prompt a landlord to report you to the INS, carefully consider all options before pursuing a complaint. If a landlord does threaten to report a complaining tenant or prospective tenants to INS in retaliation, such action can be prevented by the use of an injunction, but only for the duration of the fair housing case. A landlord cannot be prevented from threatening to or actually reporting someone to the INS when the case closes, regardless of the outcome. You should consult with an immigration and civil rights attorney before you take any action.

## Time Limit to File a Complaint:

You must file an administrative complaint with HUD within one year of the housing discrimination. You have two years to file a federal civil court action. If you are able to prove that you have been a victim of housing/lending discrimination, the Fair Housing Act may entitle you to receive compensation for actual damages, including humiliation, pain and suffering and other relief. If you win a federal civil court lawsuit, the law may also allow you to receive punitive damages.



## Where to File a Complaint if Your Rights Have Been Violated:

The Fair Housing Programs  
of Steubenville, Toronto & Jefferson County  
Ohio Valley Fair Housing Center  
115 South 3rd Street, Suite 108  
Steubenville, OH 43952  
(740) 283-6000 extension 1700

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Ohio Civil Rights Commission  
Akron Regional Office  
Akron Government Center  
161 South High Street, Suite 205  
Akron, OH 44308  
(330) 643-3100 or  
1-888-278-7101

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Fair Housing Hub  
U.S. Department of HUD  
Ralph H. Metcalfe Federal Building  
77 West Jackson Boulevard, Room 2101  
Chicago, IL 60604-3507  
(312) 353-7776  
1-800-765-9372  
TTY 1-800-927-9275



## *If You Have Heard This...*



“It takes 30 days to check your credit...”

“We have decided to take the house off the market temporarily...”

“I think you would be happier in a different neighborhood...”

“I need to see your legal documents before giving you an application...”

“The apartment already has a deposit on it...”

“I do not make the decisions. Just fill out the rental application and we will let you know if you are accepted...”

***It Could be Discrimination***