



HOUSING DISCRIMINATION



WHAT ANTI-DISCRIMINATION LAW APPLIES TO HOUSING AND WHO ENFORCES THE LAW?

- The Fair Housing Act (FHA) applies to most housing
- In certain circumstances, the FHA exempts owner-occupied buildings with no more than four units, single-family housing sold or rented without the use of a broker, and housing operated by organizations and private clubs that limit occupancy to members
- Complaints filed under the FHA are investigated by the Office of Fair Housing and Equal Opportunity (FHEO), which is part of the U.S. Department of Housing and Urban Development (HUD)

WHAT IS PROHIBITED UNDER THE FHA?

- In the sale or rental of housing, no one may take the following actions on the basis of race, color, national origin, religion, sex, familial status, or disability:
 - Refuse to rent or sell housing
 - Refuse to negotiate for housing
 - Make housing unavailable
 - Deny a dwelling
 - Set different terms, conditions, or privileges for the sale or rental of a dwelling
 - Persuade owners to sell or rent for profit
 - Deny anyone access to or membership in a facility or service related to the sale or rental of housing
- It is illegal for anyone to threaten, coerce, intimidate, or interfere with anyone who is exercising a fair housing right or assisting others who are exercising that right
- It is also illegal to advertise or make statements that indicate a limitation or preference based on race, color, national origin, religion, sex, familial status, or disability – this applies to housing covered under the FHA and single-family and owner-occupied housing that is otherwise exempt from the FHA

AS AN INDIVIDUAL WITH A DISABILITY,
DO I HAVE ANY ADDITIONAL PROTECTIONS UNDER THE FHA?

- Yes, your landlord may not:
 - Refuse to let you make reasonable modifications, at your expense, if necessary for you to use the housing (sometimes, the landlord is allowed to limit changes to situations where you agree to pay for restoration of the property to the original condition when you move out)
 - Refuse to make reasonable accommodations in rules, policies, practices, and services if changes are necessary for you to use the housing

- New buildings ready for occupancy after 3/13/1991 with four or more units and an elevator:
 - must make public/common areas accessible to persons with disabilities
 - must have doors and hallways that are wide enough for wheelchairs
 - all units must have
 - ✓ an accessible route into and through the unit
 - ✓ accessible light switches, electrical outlets, thermostats, etc.
 - ✓ reinforced bathroom walls to allow later installation of grab bars
 - ✓ kitchens and bathrooms that can be used by individuals who use wheelchairs

****** DISCLAIMER: This is not intended as legal advice, but rather for informational purposes only. Always consult a lawyer if you have questions about your legal rights. ******

References:

Disability Law Colorado – www.disabilitylawco.org

The U.S. Department of Housing and Urban Development – www.hud.gov