

# Racial Housing Discrimination

The federal Fair Housing Act prohibits the denial of housing to a person based on the person's membership in one or more of the classes protected under the Act. The protected classes are **race, color, religion, national origin, sex, familial status, and disability**. It is therefore illegal to discriminate against a person in the provision of housing because of a person's membership in a protected class in the following situations:

- The sale or rental of most housing;
- The terms, conditions, privileges of sale or rental, or provision of services or facilities in connection with the sale or rental of most housing;
- The advertising of a sale or rental of housing;
- The representation of the availability of housing for rental or sale;
- The provision of reasonable modification to a dwelling for persons with a disability at their expense when necessary for the full use and enjoyment of the dwelling;
- The provision of reasonable accommodations to the rules, policies, practices or services when necessary to provide persons with a disability the equal opportunity to use and enjoy the dwelling;
- The financing or refinancing of housing; and
- the provision of real estate brokerage services.

In addition, it is illegal to coerce, intimidate, threaten or interfere with a person seeking to exercise rights under the Fair Housing Act.

## **WHAT IS PROHIBITED?**

### **1. False denial of availability**

- Advising someone, because of his or her class membership, that there are no available units when, in fact, there are.  
*"Sorry we just rented the last unit."*

**2. Refusal to deal**

- Refusing to rent, sell, or negotiate with a person because of class membership.  
*“We don’t rent to Jews.” or “We don’t sell to families with children.”*

**3. Discriminatory terms, conditions and provision of services or facilities.**

- Giving less favorable terms in sales or rental agreements because of class membership.  
*“The rent is \$200 higher for tenants with a service animal.”*

**4. Discriminatory Advertising**

- Indicating any preference, limitation or discrimination because of class membership.  
*“No African Americans need apply.”*

**5. Financial Discrimination**

- Denying any type of home loan for discriminatory reasons by lenders, including banks, savings and loan associations, insurance companies, and others, or giving less favorable loan terms because of class membership.

**6. Refusal to permit a reasonable modification to the unit at the expense of the person with a disability, in order that the person may have full enjoyment of the unit.**

- *“You may not install grab bars in the bathroom.”*

**7. Denial of a reasonable accommodation to the rules and regulations of rental in order that the person with a disability may have equal opportunity to use and fully enjoy their unit.**

- *“It’s against the rules to have another person live with you, even though there is enough room and the person is necessary to help you with your health needs.”*

**8. The actions listed below are some of the many forms of housing discrimination. It is illegal to commit these acts because of a person’s membership in or association with a person in a protected category:**

- Refuse to sell or rent housing
- Lie about the availability of housing
- Evict
- Treat a tenant differently in terms or conditions, such as rent, security deposit, or maintenance
- Refuse to allow reasonable modifications necessary for the use of a dwelling by a person with a disability (at the tenant’s expense)

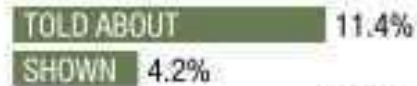
- Fail to make reasonable accommodations in rules, practices, or services necessary for a person with a disability to occupy the housing
- Set different home sale prices or impose different interest rates, points, or fees on a loan
- Reject a mortgage loan
- Deny property insurance
- Coerce, intimidate, or interfere with the exercise of fair housing rights

**A RECENT STUDY OF DISCRIMINATION BY HUD INDICATED THE FOLLOWING RATIO OF DISCRIMINATION WHEN COMPARED TO WHITES IN BOTH RENTING AND BUYING.**

**Exhibit 1: Minority Homeseekers Told About and Shown Fewer Housing Units**

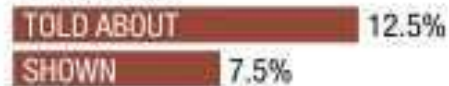
**Renting COMPARED TO WHITES**

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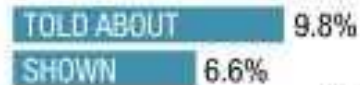
... FEWER UNITS

**HISPANICS**



... FEWER UNITS

**ASIANS**



... FEWER UNITS

**Buying COMPARED TO WHITES**

**BLACKS**



... FEWER HOMES

Differences favor neither whites nor Hispanics

**ASIANS**



... FEWER HOMES