

WHAT ELSE IS COVERED UNDER THE FAIR HOUSING ACT?

LENDERS, APPRAISERS, AND INSURANCE COMPANIES MAY NOT DISCRIMINATE

Home mortgages and personal loans for housing-related purposes are covered. No one may do any of following because of race, color, religion, national origin, sex, disability, or familial status of the applicant:

- Refuse to provide information regarding loans.
- Provide inaccurate or incomplete information.
- Refuse to make a loan to a qualified applicant.
- Impose different terms or conditions on a loan, such as different interest rates, points, or fees unrelated to credit history.
- Refuse to issue a homeowner's or renter's insurance policy.

It is also a violation to fail to design and construct public and private multi-family housing with four or more units in an accessible manner. This applies to buildings designed and constructed for first occupancy after March 13, 1991.

For more information, contact us at
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YOUR FAIR HOUSING RIGHTS



HOUSING DISCRIMINATION IS ILLEGAL

The federal Fair Housing Act prohibits discrimination in housing related transactions because of race, color, religion, national origin, sex, disability or familial status.

The Fair Housing Act applies to a wide variety of housing transactions, including rentals, sales, home mortgages, appraisals, and homeowners' insurance. Landlords, real estate agents, lenders, insurance companies, and condominium, cooperative, and homeowner associations must not discriminate because of one's membership in a protected class.

Housing discrimination is against the law. One way to stop discrimination is to report it.

SOME SIGNS OF POSSIBLE DISCRIMINATION

- The availability changed between a phone contact and an in-person visit.
- The housing provider refused to sell, rent, or show available housing or charged a higher security deposit.
- Advertisements expressed a preference for singles or couples, but the community does not qualify as housing for older persons.
- Families with children or persons with disabilities were limited or steered to certain buildings or to the first floor.
- The housing provider refused to make a reasonable accommodation or allow a reasonable modification for a person with a disability.

COMMONLY ASKED QUESTIONS & ANSWERS

Must all landlords comply with the Fair Housing Act?

The Fair Housing Act covers most housing. In some circumstances, the Fair Housing Act exempts owner-occupied buildings with no more than four units. Communities that qualify for the "Housing for Older Persons" exemption under the Fair Housing Act are permitted to exclude families with children under the age of 18. Religious organizations and private clubs can limit occupancy to their members, provided their membership practices are not discriminatory.

What is the definition of a disability?

A disability is a physical or mental impairment that substantially limits one or more major life activities such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working. It also includes a record of having such an impairment or being regarded as having such an impairment. The law also covers someone who is associated with a person with a disability.

What is a reasonable accommodation?

A "reasonable accommodation" is a change, exception, or adjustment to a rule, policy, practice or service that may be necessary for a person with a disability to have an equal opportunity to use and enjoy a dwelling, including its public and common use space. For example, reasonable accommodations include allowing an assistance animal even if there is a "no pets" policy or creating a reserved accessible parking space for a specific resident.

What is a reasonable modification?

A "reasonable modification" is a structural change made to existing premises occupied or to be occupied by a person with a disability so that he or she can fully use and enjoy the premises. Reasonable modifications can include structural changes to interiors and exteriors of dwellings, and to the common and public use areas.



Examples of reasonable modifications include installing grab bars or ramps, lowering counter spaces, and allowing a person with a hearing impairment to install strobes. The resident is responsible for paying the cost of the modification. Tenants are obligated to restore the interior of the unit to its previous state only where it is reasonable to do so and the housing provider has requested the restoration. Section 504 of the Rehabilitation Act of 1973 may require landlords that receive federal funds to pay for reasonable modifications.

What does "familial status" mean?

"Familial status" means the presence of children under 18 in the household. This includes pregnant women and persons in the process of adopting or securing custody of a child/children. Children include foster children and grandchildren, so long as the person has legal custody or written permission.

What actions does the law prohibit?

The law prohibits actions such as denying housing, limiting access to housing, discouraging home seekers, or creating different rules, fees, or standards because of one's membership in a protected class. The Fair Housing Act also prohibits harassing, coercing, intimidating, or interfering with anyone exercising or assisting someone else with their fair housing rights.

Does this mean that a landlord must rent to or cannot evict anyone who is a member of a protected class?

No. A housing provider has the right to refuse rental applications or evict tenants based on objective criteria, such as credit history or bad tenant history. A housing provider should set criteria and apply them equally to each applicant and resident.