

FAIR HOUSING LEGISLATION WHAT IS PROHIBITED?

According to the Federal Fair Housing Amendments Act of 1988, no one may discriminate in the sale or rental of housing because of race or color, national origin, religion, sex, familial status (including children under the age of 18 living with parents or legal custodians; pregnant women and people securing custody of children under the age of 18), or handicap.

The following are examples of discrimination if based on the above criteria:

Refusing to rent or sell housing,
Refusing to negotiate for housing,
Making housing unavailable,
Denying a dwelling,
Providing different housing services or facilities,
Setting different terms, conditions, or privileges,
For sale or rental of a dwelling,
Falsely denying that housing is available for
Inspection, sale, or rental,
For profit, persuading owners to sell or rent
(blockbusting), or
Denying anyone access to or membership in a
Facility or service related to the sale or rental of housing.

The Act exempts owner-occupied buildings with no more than four (4) units, single-family housing sold without the use of a broker, and housing operated by organizations and private clubs that limit occupancy to members.

Handicap is defined as having a physical or mental disability (including hearing, mobility and visual impairments, chronic alcoholism, chronic mental illness, AIDS, AIDS Related Complex, and mental retardation) that substantially limits one or more major life activities. It also includes those who have a record of such a disability and those who are regarded as having such a disability.

As a landlord, you may not refuse to let a handicap tenant make reasonable modifications to the dwelling or common use areas at their own expense. You may, however, require the property be restored to its original condition by the tenant upon move-out. **Housing may be denied to a person who is a direct threat to the health or safety to others or who currently uses illegal drugs.**