

## FAIR HOUSING – IT’S THE LAW

It is important to understand the basic rights provided to you under the *fair housing laws*. The premise of fair housing law is simple: everyone has the legal right to live anywhere they want (and can afford) to live. Fair housing law applies to both individuals and families whether they are Voucher Holders or paying market rates.

The Federal Fair Housing Act prohibits discrimination based on race, color, religion, national origin, sex, age, ancestry, familial status, disability, gender identity, military discharge status, or source of income.

Fair housing does *not* mean that Property Owners are required to rent to anyone who comes through the door. Property Owners have the right to screen applicants, based on legal guidelines and procedures. The screening process will vary from Owner to Owner. Some will just look you in the eye, talk to you, and make a decision. Other Property Owners will require you to undergo a formal screening policy that may include:

- Checking credit history and references
- Conducting criminal background checks
- Reviewing previous rental history
- Filling out a thorough application form

Fair housing requires a Property Owner to treat all applicants the same. For example, if a Property Owner conducts home visits as part of their screening process, then home visits must be conducted for *every* applicant. If the screening uncovers information that indicates that you may not pay the rent on time or that you may damage the property, then the Property Owner does not have to accept you as a tenant. On the other hand, if you meet the Property Owner’s criteria, he/she must accept you — whether or not you are a Voucher Holder.

Fair housing is your legal right. If you are denied your housing rights, you may be experiencing housing discrimination.

*Under the Fair Housing Act, it is against the law for landlords to:*

- Refuse to rent housing to you if you are a qualified applicant
- Tell you housing is not available when it is available
- Show you apartments or homes in certain neighborhoods only
- Advertise housing to preferred groups of people only
- Deny you property insurance
- Refuse to make certain modifications or accommodations for persons with a mental or physical disability, including persons recovering from alcohol and substance abuse and HIV/AIDS-related illnesses
- Harass, coerce, intimidate, or interfere with anyone exercising or assisting someone else with fair housing rights

To report housing discrimination or to learn more about it, call the Office of Fair Housing and Equal Opportunity of the Department of Housing and Urban Development (HUD) at (800) 496-4294. You may also file a complaint on line at <https://www5.hud.gov/Hud903/main/pagHUD903Form.jsp>.

***You can also file a complaint in writing to:***

New York/New Jersey Fair Housing Hub  
U. S. Dept. of Housing and Urban Development  
26 Federal Plaza, Room 3532  
New York, NY 10278-0068  
(212) 264-1290 or (800) 496-4294  
Fax (212)264-9829 TTY (212) 264 0927