



## Fair Housing History and Legislation

The **Fair Housing Act** is a federal law that “makes it unlawful to refuse to sell, rent to, or negotiate with someone because of their race, gender, religion, etc.” The Fair Housing Act passed a week after Martin Luther King’s assassination. It was a landmark civil rights act that attempted to push back on decades of housing discrimination, and it still has bearing today.

### **Title VIII of the Civil Rights Act of 1968**

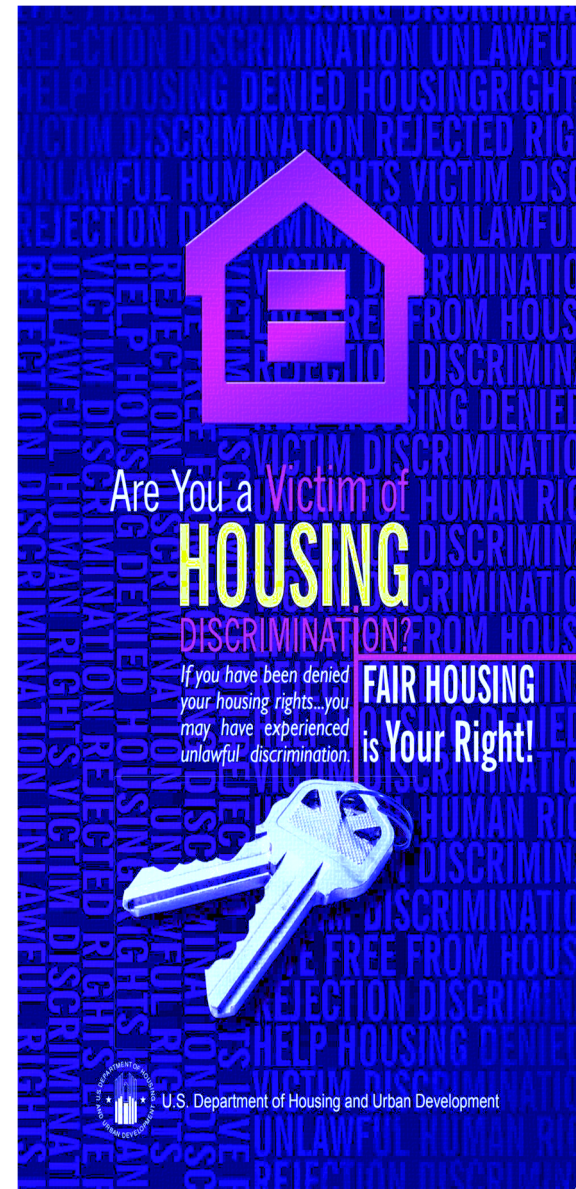
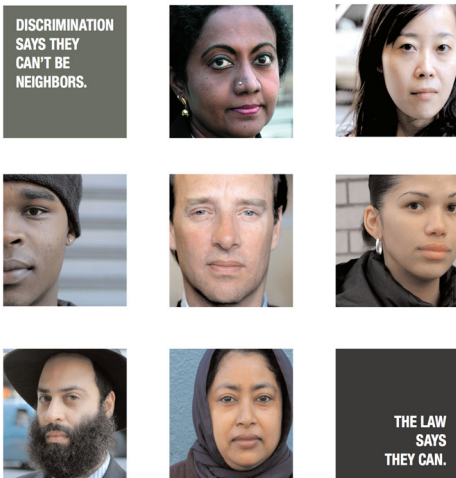
**(Fair Housing Act)** prohibits discrimination in the sale, rental and financing of dwellings based on race, color, religion, sex or national origin. Title VIII was amended in 1988 (effective March 12, 1989) by the Fair Housing Amendments Act, which:

- expanded the coverage of the Fair Housing Act to prohibit discrimination based on disability or on familial status (presence of child under age of 18, and pregnant women)
- established new administrative enforcement mechanisms with HUD attorneys bringing actions before administrative law judges on behalf of victims of housing discrimination.

“The June 25, 2015 decision by the Supreme Court in *Texas Department of Housing and Community Affairs (TDHCA) v. Inclusive Communities Project* upheld the government’s obligation to affirmatively further fair housing when policies result in disparate impacts.”

What CSA offers San Diego County residents

- Fair Housing Discrimination Assistance
- Fair Housing Education
- Landlord /Tenant Assistance
- First Time Home Buyers Education



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## DISCRIMINATION UNDER THE FAIR HOUSING ACT

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It is unlawful to discriminate against protected classes by:

- Refusing to sell or rent, refusing to negotiate to sell or rent, or otherwise make a dwelling unavailable;
- Discriminating in the terms, conditions, or privileges of sale or rental of a dwelling;
- Making, printing, or publishing any notice, statement, or advertisement for the sale or rental of a dwelling that indicates any preference, limitation, or discrimination;
- Representing to any person of a protected class that a dwelling is not available for inspection, sale or rental when such dwelling is available;
- For profit, inducing or attempting to induce any person to sell or rent a dwelling by representations regarding the entry or prospective entry into a neighborhood;
- Discriminating in the sale, rental, or make a dwelling unavailable to any buyer or renter based on the disability of the buyer or renter, a person residing or intending to reside in the dwelling, or any person associated with the buyer or renter.

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## Useful Tips What you should do if you believe you have experienced housing discrimination:

- Contact the CSA San Diego County and report the discrimination to us.
- Keep a journal of incidents of discrimination.
- Write down what you experienced, including names, dates, addresses, rental terms, and any other details about your interaction.
- Keep any documents related to the discrimination, including all emails and text communications.
- Following the incident, you have one year to file an administrative complaint or two years to file a lawsuit in court

## You cannot be rejected for housing because of any of these categories

- Race.
- Color.
- Religion.
- National Origin.
- Gender.
- Disability.
- Familial / Marital Status.



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## What Properties are covered? The Fair Housing Act covers most residential units, such as:

- Houses
  - Apartments
  - Condominiums
  - Group homes
  - Shelters (homeless & domestic violence)
  - Migrant housing
  - Long term transient lodging
- There are limited exceptions for some housing, including owner-occupied buildings of 4 or fewer units and some single-family homes. In addition, religious organizations and private clubs who rent housing for nonprofit purposes may favor their members. Contact CSA for more information

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## State Law adds more protection against housing discrimination

- Gender Identity / Expression
- Sexual Orientation
- Genetic Information
- Primary Language
- Citizenship
- Source of Income
- Immigration Status