




Fair Housing and Equal Access



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Fair Housing History

- On April 11, 1968, President Lyndon Johnson signed the Civil Rights Act of 1968
- Title VIII of the Act is also known as the Fair Housing Act (of 1968)
- President Lyndon Johnson utilized a national tragedy, the assassination of Rev. Dr. Martin Luther King, Jr. was on April 4, 1968, to urge for the bill's speedy Congressional approval.

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Fair Housing Act

- It is illegal to discriminate in the **sale or rental of housing**, including against individuals seeking a mortgage or housing assistance, or in other housing-related activities.
- The Fair Housing Act prohibits this discrimination because of race, color, national origin, religion, sex, familial status, and disability.
- A variety of other federal civil rights laws, including Title VI of the Civil Rights Act, Section 504 of the Rehabilitation Act, and the Americans with Disabilities Act, prohibit discrimination in housing and community development programs and activities, particularly those that are assisted with HUD funding.

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Fair Housing Act

- These civil rights laws include obligations such as taking reasonable steps to ensure meaningful access to their programs and activities for persons with limited English proficiency (LEP) and taking appropriate steps to ensure effective communication with individuals with disabilities through the provision of appropriate auxiliary aids and services.
- Various federal fair housing and civil rights laws require HUD and its program participants to affirmatively further the purposes of the Fair Housing Act.

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What Is Prohibited?

- Refuse to rent or sell housing
- Refuse to negotiate for housing
- Otherwise make housing unavailable
- Set different terms, conditions or privileges for sale or rental of a dwelling
- Provide a person different housing services or facilities
- Falsely deny that housing is available for inspection, sale or rental
- Make, print or publish any notice, statement or advertisement with

- respect to the sale or rental of a dwelling that indicates any preference, limitation or discrimination
- Impose different sales prices or rental charges for the sale or rental of a dwelling
- Use different qualification criteria or applications, or sale or rental standards or procedures, such as income standards, application requirements, application fees, credit analyses, sale or rental approval procedures or other requirements

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What Else Is Prohibited?

Evict	Evict a tenant or a tenant's guest
Harass	Harass a person
Fail or delay	Fail or delay performance of maintenance or repairs
Limit	Limit privileges, services or facilities of a dwelling
Discourage	Discourage the purchase or rental of a dwelling
Assign	Assign a person to a particular building or neighborhood or section of a building or neighborhood
Persuade	For profit, persuade, or try to persuade, homeowners to sell their homes by suggesting that people of a particular protected characteristic are about to move into the neighborhood (blockbusting)
Refuse	Refuse to provide or discriminate in the terms or conditions of homeowners insurance because of the race, color, religion, sex, disability, familial status, or national origin of the owner and/or occupants of a dwelling
Deny	Deny access to or membership in any multiple listing service or real estate brokers' organization

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Who Is Protected?

The Fair Housing Act prohibits discrimination in housing because of:

- Race
- Color
- National Origin
- Religion
- Sex
- Familial Status
- Disability

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LGBTQ+ and Source of Income

- Sexual orientation and gender identity
 - Not federal or state protected class
 - It is prohibited under the Fair Housing Act for any landlord or housing provider to discriminate against LGBTQ persons because of their real or perceived gender identity or any other reason that constitutes sex-based discrimination.
 - May be a local protected class (Columbus City Code 2331.02(A)(1))
 - HUD Equal Access Housing Rule
 - July 1, 2020: HUD Updates Equal Access Rule, Returns Decision Making to Local Shelter Providers
- Source of income
 - Housing Choice (Section 8) Voucher
 - Not a protected class in Ohio or USA
 - House Bill 229: Source of Income Discrimination in Ohio
 - Bexley Adds 'Source Of Income' Protection To Fair Housing Law

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Life Expectancy at Birth (Census Tracts)

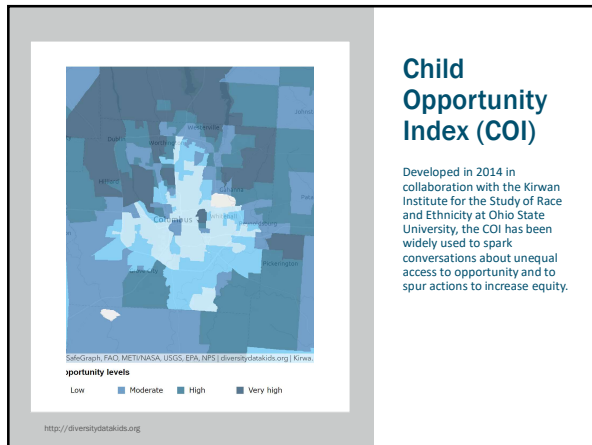
76.9 - 75.1 75.2 - 77.5 77.6 - 79.5 79.6 - 81.5 81.7 - 87.5

Why Does Fair Housing Matter: Because Place Matters in Profound Ways

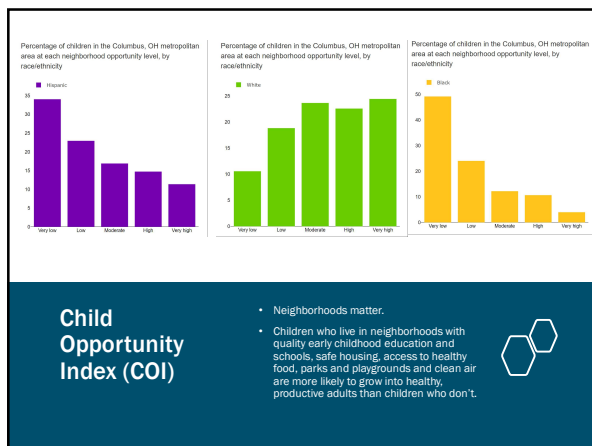
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**Moving Forward:
Advance Fair Housing as an Economic Growth Strategy**

- Focus on reducing barriers to affordable housing (zoning, parking requirements)
- Establish affirmative marketing programs for low-income and people of color
- Allocate transportation funds to jurisdictions that reduce barriers to fair housing
- Focus transportation funding on transit to connect workers to job centers and schools
- Create strategic reinvestment plans for high-poverty communities that leverage public, private, and philanthropic dollars
- Build partnerships with community organizations and residents to prioritize highest need investments
- Be dogged about measuring people and place-based outcomes of programs and funding to ensure that they are directly benefiting low-income communities of color


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Investing In People **Investing In Places** **Supporting Linkages**

People, Places and Linkages: A Broader View of Fair Housing & Equity

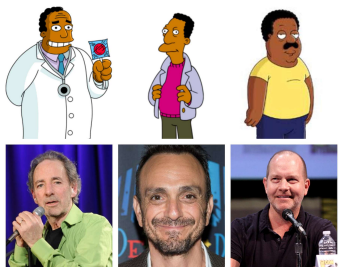
Asset & Wealth Building	Vacant Land Redevelopment, Land Banking & Bright Removal	Assessing Housing Mobility Through Regional Housing Strategies
K-12 School Reform	Community Land Trusts & Housing Stabilization	Supporting Fair Housing Enforcement
Magnet Schools	Community Development & Infrastructure Investments	Supporting Inclusionary Housing Development
Civic & Youth Engagement	Coordinated Service Delivery for Service Providers & Organizations	Developing Transit Infrastructure
Mentoring & Leadership Training	Foreclosure Prevention	Pedestrian & Bicycle Infrastructure Investments
Job Training & Labor Force Development	Small Business Development & Business Incubation	Supporting Strong Professional & Business Networks
Reentry Programs for Ex-Offenders	Community Health Investments & Fresh Food Initiatives	Transit Oriented Development
Early Childhood Care & Education Services	Improving Infrastructure and Open Space	Bus Rapid Transit Systems
Family Supportive Services	Community Crime Prevention & Supporting Safescapes	Developing Regional Greenways & Non Motorized Paths

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Let's Look at Some Scenarios

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Benjamin, who is a Black man, speaks to a prospective landlord on the phone about leasing an apartment. On the phone, the landlord seems eager to rent to Benjamin, but when he meets with the landlord in person to fill out an application, the landlord's attitude is entirely different.

A few days later, Benjamin receives a letter saying that his application was denied because of a negative reference from his current landlord. Benjamin is surprised because he never had problems with his landlord, and his landlord swears she was never contacted for a reference.

Discrimination Isn't Always Obvious – Example #1

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Discrimination Isn't Always Obvious – Example #2

Zara is a Muslim woman who wears a hijab. Zara walks into the leasing office for a large apartment building because she saw a sign in the building's window advertising several available units.

Zara introduces herself to the leasing officer, who immediately says there are no units available. Zara asks to be put on the waiting list, but she never receives a call.

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Rules Against Children Are Discriminatory

John has three teenage children. John's building has a patio with picnic tables, and one day John's children decide to have lunch there with some of their friends.

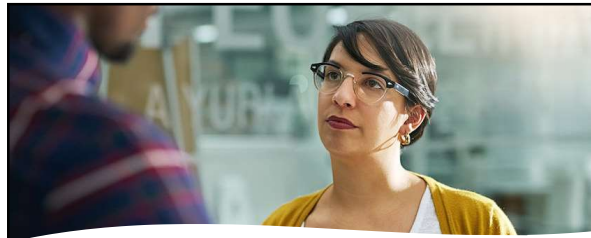
The next day, John receives a notice from the homeowners association informing him that the building rules say that the patio is for adult-use only and that he needs to make sure his children do not violate the building rules.

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Discrimination in the Conditions of Housing Is Illegal

Juan recently moved to the United States from Mexico. One day, Juan sees that there is a new tenant in the apartment next to his, so he welcomes her to the building. Juan's neighbor comments on how nice everyone in the building seems, especially the building manager who offered to waive her security deposit because she seems like a good person. Juan is surprised because the building manager was short-tempered with him and said that Juan's accent made him hard to understand. Juan later asks around and finds out that the building manager has waived fees and deposits for other tenants he likes, but not for him or other persons from Mexico.

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Harassment Is A Form Of Discrimination

Jane has a Housing Choice Voucher (Section 8). One month, she falls behind on her portion of the rent. When Jane asks her landlord if he will give her a few more days, her landlord says yes but only if she will go out with him. Feeling she has no choice, Jane says yes. Over the next few days, Jane's landlord sends her sexually explicit text messages even though Jane tells him to stop. Jane's landlord tells her that if she does not go out with him again he is going to evict her and she will lose her voucher.

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HUD's Equal Access Rules


On February 3, 2012, HUD issued the first of three rules focusing on ensuring fair and equal access to housing for all Americans, regardless of their sexual orientation, gender identity, nonconformance with gender stereotypes, or marital status.

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Equal Access to Housing in HUD Programs Regardless of Sexual Orientation or Gender Identity

- This rule requires that a determination of eligibility for housing that is assisted by HUD or subject to a mortgage insured by the Federal Housing Administration shall be made available without regard to:
 - Actual or perceived sexual orientation,
 - Gender identity,
 - Or marital status.
- The rule also included a definition for sexual orientation and gender identity and expanded the definition of family in most of HUD's programs.


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Providers that **operate single-sex projects** are required to provide all individuals, including transgender individuals and other individuals who do not identify with the sex they were assigned at birth, with access to programs, benefits, services, and accommodations ***in accordance with their gender identity without being subjected to intrusive questioning or being asked to provide documentation.***

The Gender Identity Rule

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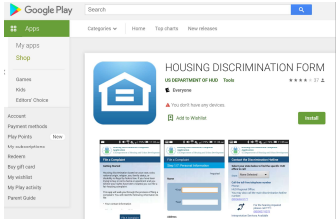
Equal Access to Housing in HUD's Native American and Native Hawaiian Programs- Regardless of Sexual Orientation or Gender Identity.

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To give every person and family access to a safe, secure and affordable home including ensuring fair and equal access to housing for all Americans, regardless of their sexual orientation, gender identity or marital status.

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How to File a Housing Discrimination Complaint:

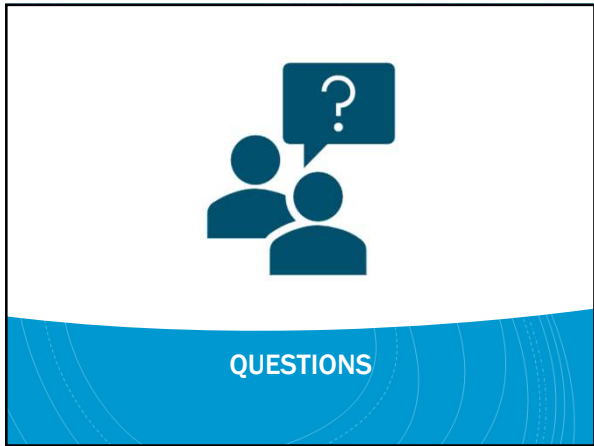
- File a Complaint Online: https://www.hud.gov/program_offices/fair_housing_equality_opp/online-complaint
- Download the [Apple App](#) [Android App](#)
- Call (800) 669-9777.

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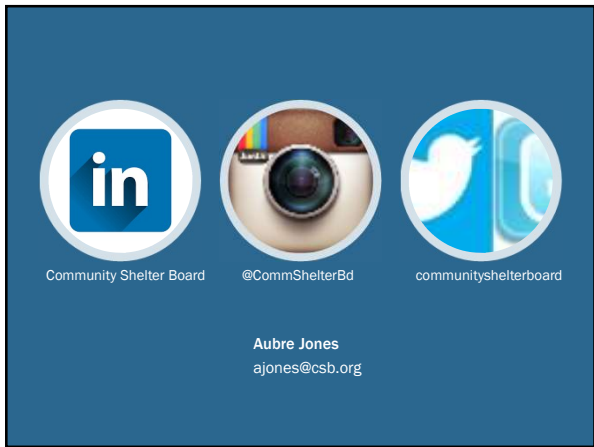
Community Resources

- Legal Aid Society of Columbus
 - 614-241 2001
- Disability Rights Ohio
 - 800-282-9181
- COHHIO
 - Housing Information Line: 888-485-7999
 - rentinfo@cohhio.org
- Ohio Civil Rights Commission (OCRC)
 - 888-278-7101

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