

The Fair Housing Act

April is Fair Housing Month and the time to celebrate the anniversary of the enactment of the Fair Housing Act. Many of you may be asking- “what exactly is the Fair Housing Act, and what are my fair housing rights?”- so here is a brief overview of the Fair Housing Act and some of the most commonly asked about areas of the federal law.

The Fair Housing Act was enacted on April 11, 1968 as Title VIII of the Civil Rights Act. Since 1966, Rev. Dr. Martin Luther King, Jr. marched in support of families who could not purchase or rent homes in certain residential developments solely on account of their race or national origin. Less than a week following Dr. King’s assassination on April 4, 1968, President Lyndon Johnson utilized this national tragedy to urge for the Fair Housing Act’s speedy Congressional approval. As Dr. King’s name had been closely associated with the fair housing legislation, President Johnson viewed the Act as a fitting memorial to the man’s life work, and wished to have the Act passed prior to Dr. King’s funeral in Atlanta.

The Fair Housing Act prohibits discrimination by housing providers, such as landlords and real estate companies as well as entities such as municipalities, banks and homeowners insurance companies whose discriminatory practices make housing unavailable to persons based on race, color, national origin, religion, sex, familial status or disability. State laws and local ordinances provide additional protections for other classes that are frequently discriminated against, including LGBT, age, source of income, marital status, and gender identity. For example, housing providers cannot deny or refuse to rent or sell housing, set different terms, conditions or privileges for sale or rental of a dwelling, falsely deny that housing is available for sale or rent based on any protected class. Similarly, in mortgage lending, a provider may not refuse to make a mortgage loan, refuse to provide information regarding loans, impose different terms or conditions on a loan or refuse to purchase a loan based on race, color, national origin, religion, sex, familial status or disability. The Fair Housing Act also makes it illegal for anyone to threaten, coerce, intimidate or interfere with anyone exercising a fair housing right or assisting others who exercise that right and to advertise or make any statement that indicates a limitation or preference based on race, color, national origin, religion, sex, familial status, or disability.

The Fair Housing Act includes additional protections if you have a disability. If you or someone associated with you have a physical or mental disability, your landlord cannot refuse to let you make reasonable modification to your dwelling or common areas, at your expense, if necessary for the individual with a disability to have an equal opportunity to use and enjoy housing or refuse to make reasonable accommodations in rules, policies, practices or services if necessary for the individual with a disability to have an equal opportunity to use and enjoy housing. The Fair Housing Act also defines discrimination in housing against persons with disabilities to include a failure “to design and construct” certain new multi-family dwellings so that they are accessible to and usable by persons with disabilities, and particularly by people who use wheelchairs. The Fair Housing Act requires all newly constructed multi-family dwellings of four or more units intended for first occupancy after March 13, 1991, to have certain features including an accessible entrance on an accessible route, accessible common and public use areas, doors sufficiently wide to accommodate wheelchairs, accessible routes into and through each dwelling, light switches, electrical outlets, and thermostats in accessible location, reinforcements in bathroom walls to

accommodate grab bar installations, and usable kitchens and bathrooms configured so that a wheelchair can maneuver throughout the space.

If you have any questions, or need more information, please go to our website at www.justdigit.org, or call us at (305) 669-2822. For more details on the Fair Housing Act and your fair housing rights you can also visit <http://www.hud.gov>. HAPPY FAIR HOUSING MONTH!