



# FAIR HOUSING FOR TENANTS AND HOME BUYERS



# AGENDA

## Part I

- SERI and Fair Housing
- The Fair Housing Act (FHA)

## Part II

- Complaints By Transaction Type
- What is Prohibited?
- Examples of Violations
- Possible Verbal Signs of Discrimination
- FHA Exemptions

## Part III

- Landlord Obligations
- Fair Lending
- SERI Complaint Hotline



# SERI

- Local non-profit founded in 1994.
- Working with low-income and minority communities in the Southwest to help protect the environment and improve community health.
- Committed to helping eliminate fair housing biases and prejudices in the community to make our community a place where everyone can live, work, and engage.
- Education and Outreach Initiative Program funded by the U.S. Department of Housing and Urban Development (HUD).



# WHAT IS THE FAIR HOUSING ACT?

- In 1968 the Fair Housing Act (FHA) was signed, making it illegal for people to discriminate in any aspect of housing based on an individual's race, color, national origin, religion, sex, familial status, and disability.
- The FHA defines these as their seven federally protected classes.



President Lyndon B. Johnson to sign the Fair Housing Act April 11, 1968.  
(Photo Credit: *Smithsonian*)





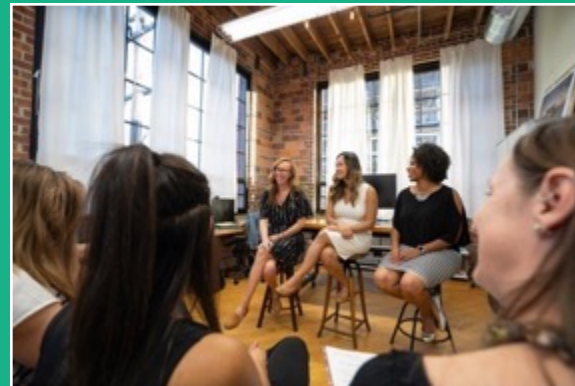
# WHERE THE FAIR HOUSING ACT APPLIES

The Fair Housing Act applies to when people are renting or buying a home, getting a mortgage, seeking housing assistance, or engaging in any other housing-related transactions.

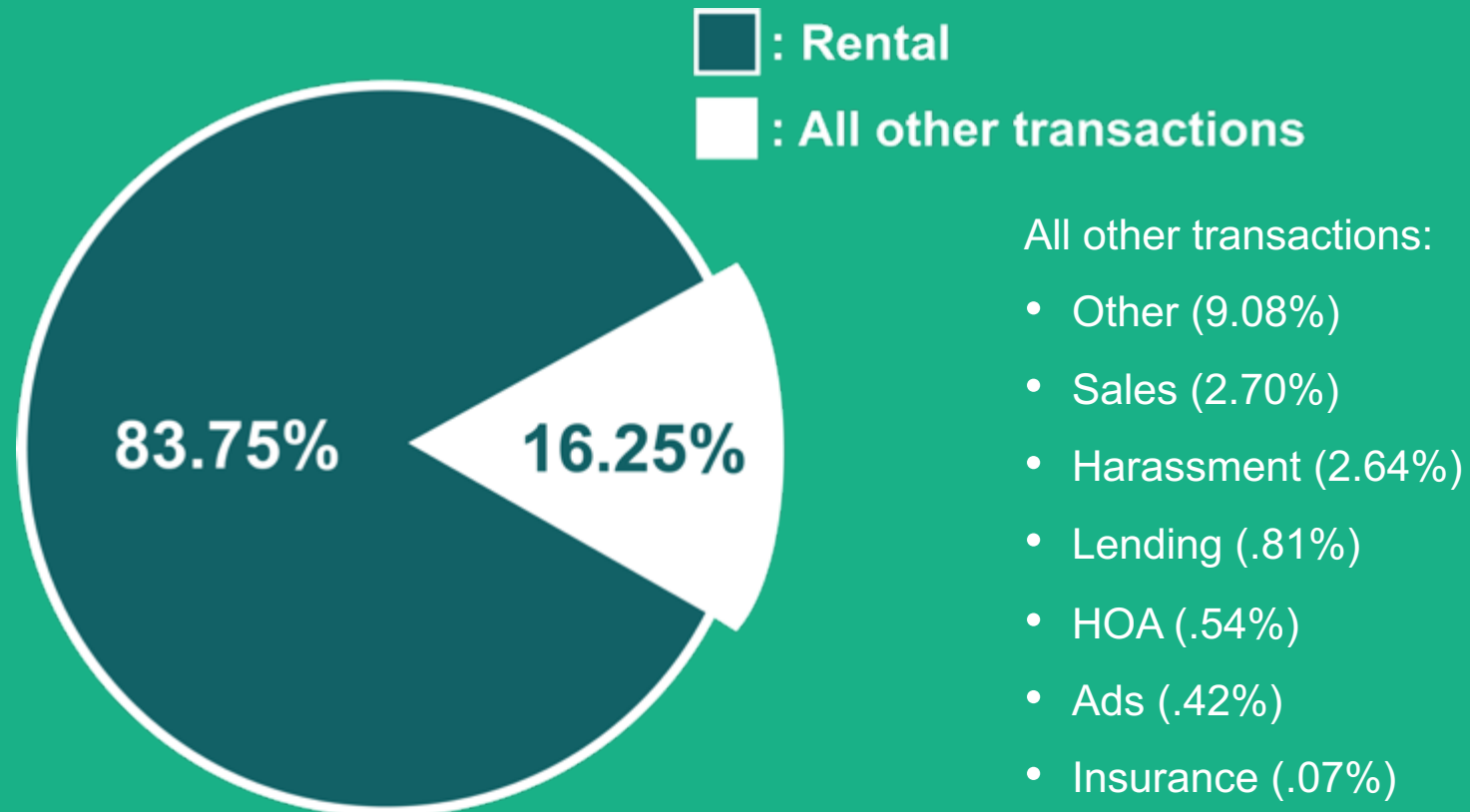


# WHY FAIR HOUSING IS IMPORTANT

- Giving everyone access to housing in every neighborhood ensures that everyone has access to the resources they want and affects the rest of our lives!



# COMPLAINTS BY TRANSACTION TYPE



(Source: National Fair Housing Alliance *Fair Housing Trends in 2019*)



# WHAT IS PROHIBITED?

- Refuse to rent, sell, or negotiate housing.
- Make housing otherwise unavailable or deny dwelling.
- Set different/less favorable terms, conditions, or privileges for sale or rental of a dwelling.
- Provide different/less favorable housing services or facilities.



# WHAT IS PROHIBITED? (CONT.)

- Oral or written statement indicating a limitation or preference based on protected class status.
- Misrepresentation concerning availability of housing.
- Persuade owners to sell or rent because of the entry of a protected class into a neighborhood.





# WHAT IS PROHIBITED? (CONT.)

- Discriminate on basis of disability.
- Threaten, retaliate, coerce, intimidate, or interfere with anyone exercising a fair housing right or assisting others who exercise that right.
- Refuse to make a mortgage loan, provide information regarding loans, or purchase a loan.



# WHAT IS PROHIBITED? (CONT.)

- Impose different/less favorable terms or conditions on a loan, such as different interest rates, points, or fees.
- Discriminate in appraising property.
- Set different/less favorable terms or conditions for making or purchasing a loan.
- Discrimination in provision of brokerage services.





# BLOCKBUSTING



- 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.
- The profiteering real-estate practice of buying homes from white majority homeowners below market value, based on the implied threat of future devaluation during minority integration of previously segregated neighborhoods.



# EXAMPLES OF VIOLATIONS



**Steering families with children to other apartment buildings.  
Section 804(a) and/or (b)24 C.F.R. § 100.70(c)**

**Mobility-impaired tenant's request for an assigned parking  
space (as an exception to the housing provider's first-come  
first-served parking policy).  
Section 804(f)(3)(b)24 C.F.R. § 100.204(b)**

**Oral statement by owner that preference will be given to  
applicants of a particular nationality.  
Section 804(c)24 C.F.R. § 100.75(b)**



# POSSIBLE VERBAL SIGNS OF DISCRIMINATION



**“NO DOGS ALLOWED ON THIS PROPERTY,  
NO EXCEPTIONS.”**

**“WE ONLY TAKE PEOPLE THAT SPEAK  
ENGLISH CLEARLY.”**

**“YOU MIGHT BE MORE COMFORTABLE  
LIVING ELSEWHERE. I’LL SHOW YOU  
NEIGHBORHOODS WITH MOSQUES.”**



# FAIR HOUSING ACT EXEMPTIONS

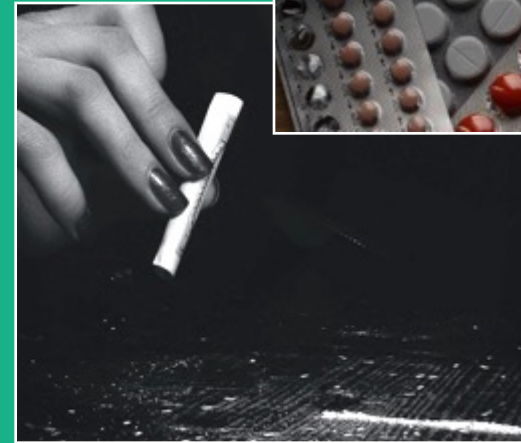


- Single-family house
- Mrs. Murphy (owner-occupied) property.
- Religious organization
- Private club
- Housing for older persons.



# FAIR HOUSING ACT EXEMPTIONS (CONT.)

- Reasonable occupancy standards.
- Persons convicted of drug manufacturing or distribution.
- Persons whose tenancy presents a direct threat to health, safety, or property.



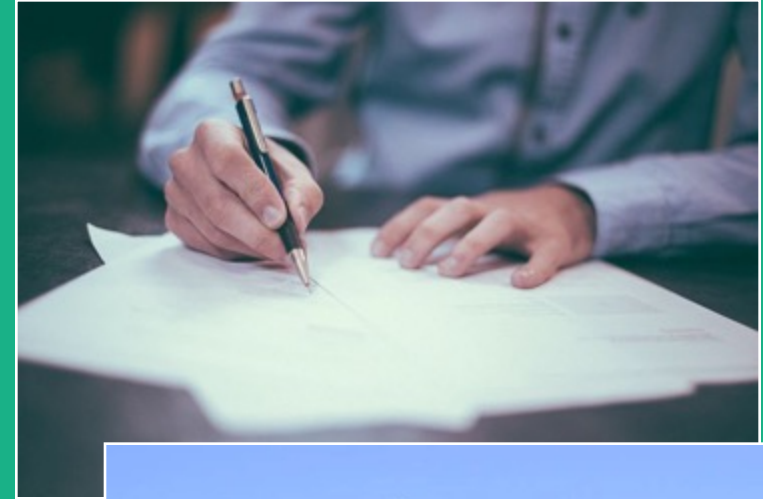


# LANDLORD OBLIGATIONS



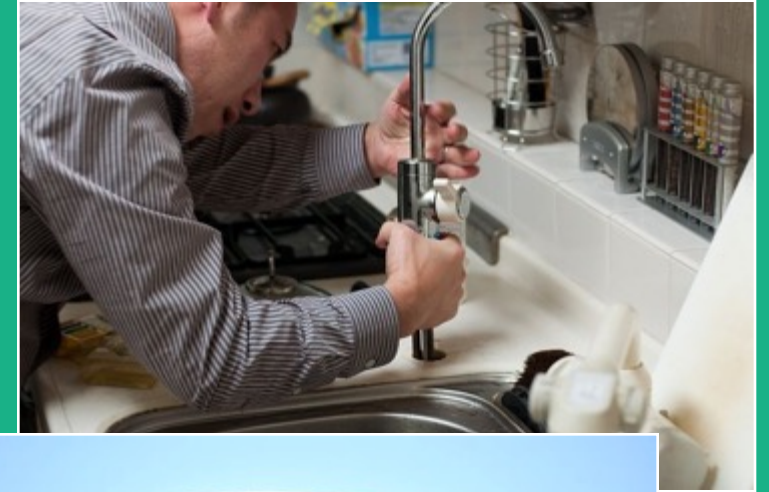
# LANDLORD OBLIGATIONS

- The purpose of all nonrefundable fees or deposits shall be stated in writing by the landlord.
- On move-in, a landlord needs to give the tenant:
  - A signed copy of the lease.
  - A move-in inspection form (to check for damages).
  - Written notification that tenant may be present at the move-out inspection.



## LANDLORD OBLIGATIONS (CONT.)

- Maintain in good, safe working order and condition the following things in the dwelling.
- The landlord and tenant of any dwelling unit other than a single family residence may agree that the tenant is to perform specified repairs, maintenance tasks, alterations or remodeling under certain conditions.



# FAIR LENDING



# WHAT IS PROHIBITED?

Discriminating against someone in a protected class in:

- Approvals and denials.
- Terms
- Advertising
- Mortgage broker services.
- Property appraisals
- Servicing
- Home loan modification assistance.
- Homeowners insurance



# EXAMPLES OF LENDING DISCRIMINATION

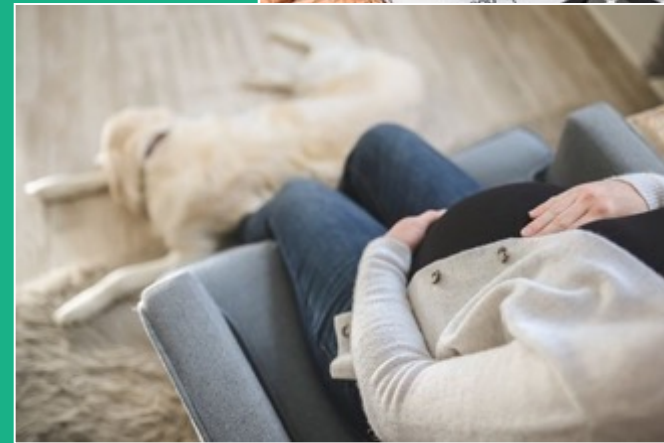


- Denying a mortgage or charging a higher interest rate because the property is located in a primarily minority neighborhood.
- Providing a different customer service experience to mortgage applicants depending on their protected class.



# EXAMPLES OF LENDING DISCRIMINATION (CONT.)

- Refusing to consider a mortgage applicant's disability-related income, such as SSI or SSDI.
- Steering a borrower to a loan with less favorable terms because of their protected class.
- Targeting a minority community for fraudulent home loan modification assistance.
- Refusing to provide mortgages to women on maternity leave.





# SERI CAN HELP YOU FILE A COMPLAINT

- If you have experienced unlawful discrimination in housing you can file a complaint with us.
- We are a certified AZRS “Relay Friendly” Partner for those with hearing loss or speech disability.
- We review and respond to each complaint and collect any other necessary intake information.
- Then we will refer your complaint to the proper agency who will assist you in a resolution of unfair housing problems due to their enforcement authority.



# SERI COMPLAINT HOTLINE



**ONLINE**

[seriaz.org/fair-housing](https://seriaz.org/fair-housing)



**E-MAIL**

[hotline@seriaz.org](mailto:hotline@seriaz.org)



**PHONE**

**520-306-0938**



**DIRECT MAIL**

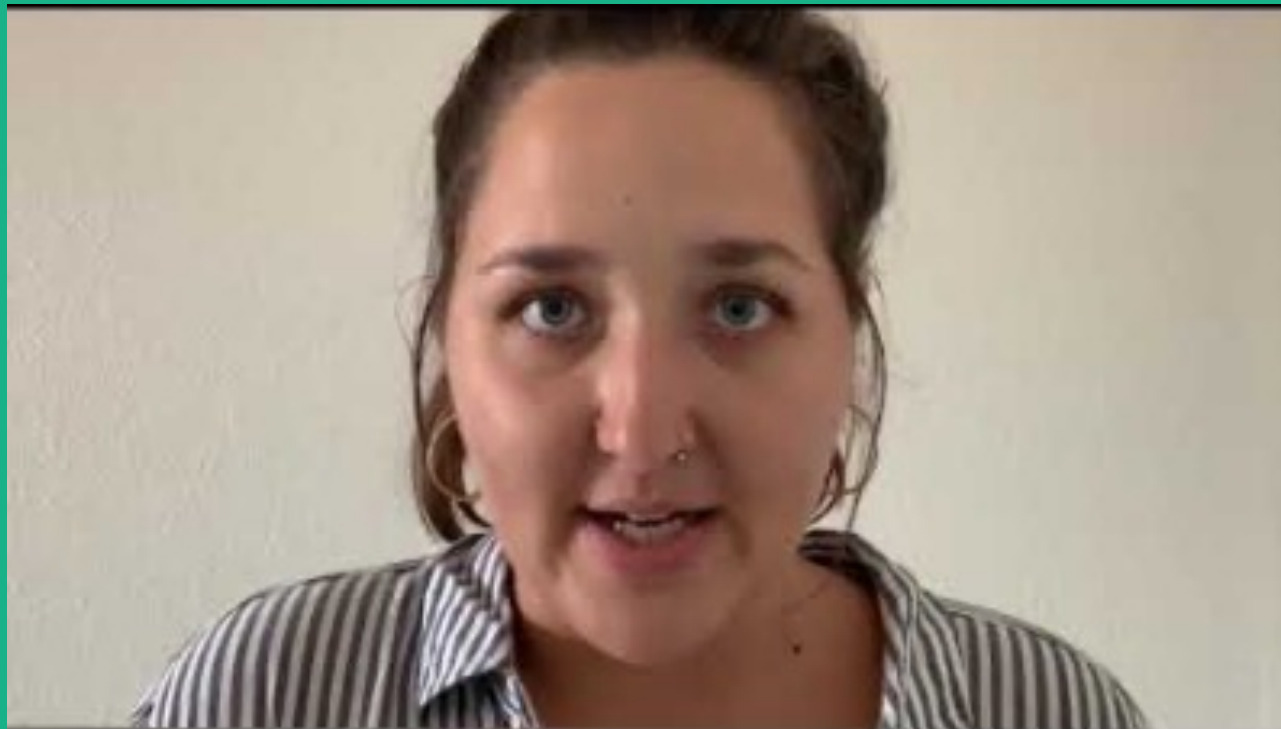
**SERI  
P. O. Box 65782  
Tucson, AZ 85728**



We will respond within 1 business day and refer your complaint to the proper agency. SERI is a AZ Relay Friendly Business.



# SOUTHWEST FAIR HOUSING COUNCIL



# RESOURCES AND THANK YOU

- Arizona Department of Housing - <https://housing.az.gov>
- Eastern Connecticut Association of Realtors - <http://www.easternctrealtors.com/wp-content/uploads/2016/11/FairHousing-PowerPoint.pdf>
- Equal Housing Center of Pennsylvania - [http://www.equalhousing.org/wp-content/uploads/2015/07/HECP\\_Landlord\\_Guide.pdf](http://www.equalhousing.org/wp-content/uploads/2015/07/HECP_Landlord_Guide.pdf)
- Fair Housing Project Legal Aid of North Carolina - <http://www.fairhousingnc.org/know-your-rights/fair-housing-overview/>
- Federal Reserve - <https://www.federalreserve.gov/default.htm>
- Greater Bakersfield Legal Assistance, Inc. - <http://www.gbla.org/>
- HUD Exchange - <http://www.hudexchange.info>
- National Fair Housing Alliance - <http://nationalfairhousing.org>
- SERI Fair Housing Program - <http://www.seri.az.org/projects/fair-housing>
- Southwest Fair Housing Council - <http://swfhc.com/>
- US Department of Housing and Urban Development - [http://www.hud.gov/program\\_offices/fair\\_housing\\_equal\\_opp](http://www.hud.gov/program_offices/fair_housing_equal_opp) and [www.hud.gov/sites/documents/HUD\\_OGCGUIDAPPFHASTANDCR.PDF](http://www.hud.gov/sites/documents/HUD_OGCGUIDAPPFHASTANDCR.PDF)



# RESOURCES AND THANK YOU

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**Any opinion, findings, and conclusions or recommendations expressed in this material are those of the authors and do not necessarily reflect the views of HUD.**

