Fair Housing

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# ***Continuum of Care: Balance of State***

# *Madison, Wisconsin May 18, 2017*

Fair housing is the right for all people to live where they choose, have equal access to housing (which includes finding, purchasing, renting, and selling) and enjoy the full use of their homes without unlawful discrimination, interference, coercion, threats, or intimidation by owners, landlords, real estate agents, banks or any other persons.

|  |  |  |
| --- | --- | --- |
| Protected Classes: | Federal | State  |
| Race | X | X |
| Color | X | X |
| Religion | X | X |
| Sex | X | X |
| National Origin | X | X |
| Disability/Handicap | X | X |
| Familial Status | X | X |
| Sexual Orientation |  | X |
| Marital Status |  | X |
| Ancestry |  | X |
| Public Assistance/Lawful Source of Income/ Economic Status |  | X |
| Age |  | X |
| Status as a Victim of Domestic Abuse, Sexual Abuse, or Stalking |  | X |

# Persons Not Covered

Individuals currently engaged in illegal drug use.

Individuals who pose a direct threat to the health or safety of other individuals or substantial physical damage to the property of others.

Sexual offenders if barred by local municipal code.

# Fair Housing Act

The Civil Rights Act of 1968

# Applies to:

Transitional Housing Programs

Group Homes

Apartments

Condos

Houses

Home Owners Associations

# Common Violations

“No pets”.

Increased rent for a family instead of an individual

Refusing to work with a translator working for a tenant

Requiring program participants to perform a set type of work in exchange for housing.

Restricting sleeping arrangements within individual units.

Refusing to house women with sons under 18

Restricting children from activities allowed to adults (if no other rationale)

Accessibility modifications not to city building code

**The Fair Housing Act prohibits practices with an unjustified discriminatory effect regardless whether there was an intent to discriminate.**

# Disability

Disability is typically defined as an individual with a physical or mental impairment that substantially limits one or more major life activity.

# Reasonable Accommodation:

A change in rules, policies, practices or services when such accommodations are necessary to afford a person with a disability the equal opportunity to use and enjoy a dwelling.

A housing provider may ask for medical documentation for the requested documentation, but cannot inquire into the nature of the disability.

A reasonable accommodation cannot cause the housing provider undue hardship or cause financial burden.

A reasonable accommodation can be requested verbally or in writing. It is recommended to put a request in writing.

# Reasonable Modifications

A structural change made to an existing premises occupied by a person with a disability in order to afford such a person the full enjoyment of the premises.

# Resources

Metropolitan Milwaukee Fair Housing Council

[http://www.fairhousingwisconsin.com](http://www.fairhousingwisconsin.com/)

Fair Housing Accessibility FIRST

[http://www.fairhousingfirst.org](http://www.fairhousingfirst.org/)

National Fair Housing Alliance

[http://www.nationalfairhousing.org](http://www.nationalfairhousing.org/)

National Low Income Housing Coalition

[http://nlihc.org](http://nlihc.org/)

National Community Reinvestment Coalition

<http://www.ncrc.org>

HUD AFFH Rule

<https://www.huduser.gov/portal/affht_pt.html>

HUD Fair Housing

<http://portal.hud.gov/hudportal/HUD?src=/program_offices/fair_housing_equal_opp>

AFFH Assessment Tool

[https://egis.hud.gov/affht](https://egis.hud.gov/affht/)