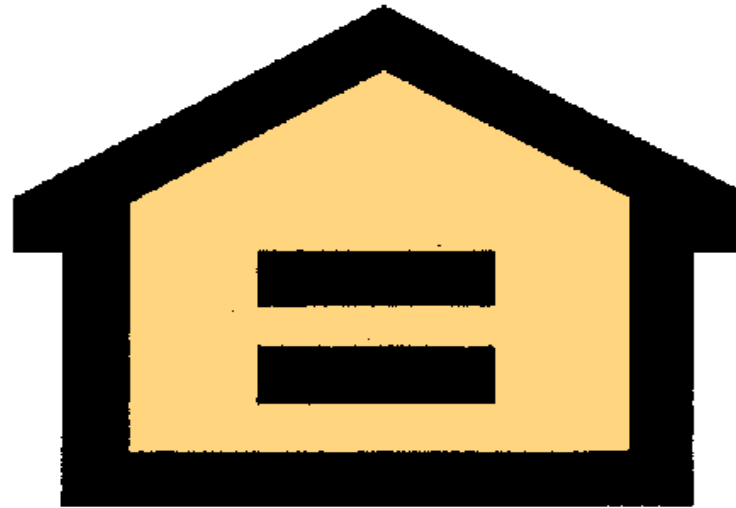


THE FAIR HOUSING ACT



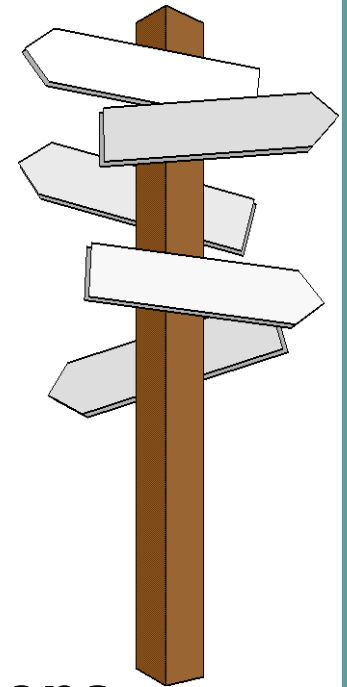
Equal Housing Opportunity



Title VIII of the Civil Rights Act of 1968 (Fair Housing Act, as amended 1988)

Prohibits Discrimination in the following:

- Sale
- Rental
- Advertising
- Provision of brokerage services
- Residential real estate related transactions



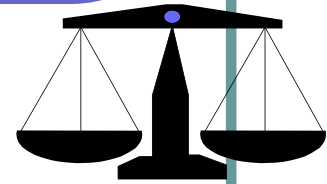
Protected Classes or Prohibited Bases

Prohibits Discrimination based on:

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



Discriminatory Housing Practices



The following practices are prohibited by law:

- Failing to accept or consider a bona fide offer.
- Refusing to sell to or rent , or negotiate for the sale or rental of a dwelling.
- Imposing different sale prices, or rental charges.
- Using different qualifications, criteria and standards.
- Providing different information, or promotional activity.
- Evicting any tenant on a protected basis or the characteristics of a tenants guests.



Discriminatory Housing Practices

- Using different policies, practices or procedures in determining a person's eligibility other than those in RD regulations.
- Failing to provide all rights and remedies.
- Using policies and procedures in the regulations in an arbitrary and discriminatory manner, to reject a persons application or preapplication.



Discriminatory Housing Practices

- Restricting housing choices.
- Steering.
- Exaggerating drawbacks.
- Discouraging inspections, purchase or renting.
- Not providing information on desirable features of a dwelling.
- Assigning a person to a particular section of a community, neighborhood, development or floor of a building.



Discriminatory Housing Practices

- Discharging or taking adverse action against an employee, broker, or agent.
- Using codes or devices to segregate or reject persons.
- Refusing to show listings in certain areas.
- Refusing to approve a person for occupancy in a cooperative dwelling.



Discriminatory Representations on the Availability of Dwellings

- It is unlawful to provide inaccurate or untrue information about the availability of dwellings for sale or rent.

Examples:

- Indication through words or conduct that an available dwelling has been sold or rented.
- Representing or enforcing lease provisions that preclude the sale or rental of a dwelling to a person.



Prohibited Discrimination in Terms, Conditions, Privileges, Services, Facilities

- Imposing different terms, conditions or privileges.
- Deny or limit services or facilities.
- Using different provisions in leases, or contracts (i.e., rental charges, security deposits).
- Denying or limiting discounts, rebates or gifts.
- Failing or delaying maintenance or repairs of sale or rental dwelling.
- Limiting the use of privileges, services or facilities associated with a dwelling.



Form HUD 935.2A or 935.2B, “Affirmative Fair Housing Marketing Plan” required for:

- **Real Estate Brokers** under **exclusive** contracts who will market **five** or more inventory homes (or who the Agency anticipates will) within a 12 month period,
- **Auctioneers** under contract offering for sale **five** or more SFH inventory homes (or who the Agency anticipates will) within a 12 month period,



Form HUD 935.2A or 935.2B, “Affirmative Fair Housing Marketing Plan” required for:

- CF Retirement Homes, Group Homes, and long term care facilities (nursing homes),
- Housing Preservation Grantees,
- Packagers of SFH loans, and/or
- **Contractors** or **Realtors** who participate in RD Programs through a program administered by another agency (State or local) and who will **market five** or more homes within a 12 month period.



Prohibition Against Discrimination Because of Handicap

It is unlawful to discriminate due to a handicap!

- We cannot change our race or ethnic origin, but there is one protected group that we can all perhaps join someday – the disabled or chronically ill.



Section 504

- Section 504 of the Rehabilitation Act of 1973].
- No qualified individual with a **disability** shall be excluded from participation in, denied benefits of, or subjected to discrimination under **any program receiving HUD funds.**
- File within 180 days of the alleged act.



Familial Status and Housing for the Elderly

- Law **does not** limit restrictions on the number of occupants to live in a dwelling.
- Law regarding familial status **may** not apply to dwellings provided under state or other federal programs for the elderly (such as the RHS' MFH Program for the Elderly).
- The Secretary of HUD has issued an exception for the 515 elderly housing program.



JAN 3 1995

[REDACTED]

9/26/94

[REDACTED]

Dear Ms. [REDACTED],

I regret to inform you that I will be unable to approve your application for an apartment at [REDACTED]. Farmers Home Administration guidelines do not allow for children of the opposite sex to share a bedroom. Also, a child can not share a room with an adult. Since we don't have three bedroom apartments here we would not be able to furnish your needs.

I am sorry that I could not help you. Thank you for your interest in [REDACTED].

-Sincerely,

[REDACTED]

Manager

Note: You have the right to appeal in accordance with FMHA instructions 1944-L. Subpart L. Tenant Grievance and Appeal Procedure. posted in the project office.

It is illegal to discriminate against any person because of Race, Color, Religion, Sex, Handicap, Familial Status, or National Origin. Complaints of discrimination may be forwarded to the Administrator, FMHA, USDA Washington, D.C. 21250.



[REDACTED] HOUSING COMPANY
[REDACTED]

January 11, 1988

[REDACTED]
[REDACTED]
[REDACTED]
Dear Ms. [REDACTED],

It has been brought to my attention that your brother has been at your place for between a month and six weeks. This is in violation of your lease. A one bedroom apartment is not the right size for sister and brother. The only two people who qualify for a one bedroom are husband and wife or mother with a small baby of the same sex as her. Since this is the case I cannot add your brother to your certification papers. He will have to find somewhere else to live. If you have any questions please come to the office.

There has been a problem with your brothers car being in the way for the snowplowing. This car should not be parked in front of the building all the time anyway as he is an unauthorized person here. His car should have been parked on the other side of the bicycle shed.

I expect to here from you before two weeks is up with the news that your brother has moved out or else your lease will be in jeopardy.

Sincerely,

[REDACTED]
Manager

*Brother moved out before the end
of January. Younger Brother is
there sometimes.*



Prohibited Interference, Coercion or Intimidation

- **Coercing** a person, orally or in writing to deny or **limit benefits** provided with the sale or rental of a dwelling or in connection with a residential real estate-related transaction.




Prohibited Interference, Coercion or Intimidation (cont.)


- Threatening an **employee** or agent with dismissal or an adverse action for **assisting** a person seeking access to the sale or rental of a dwelling or any real estate-related transaction.
- Intimidating or threatening any person because he/she is engaging in activities designed to make others aware of or to exercise their rights protected by the FHA.



HUD Fair Housing Poster (rev. 2/2003)

<http://www.hud.gov/offices/adm/hudclips/forms/files/928-1.pdf>

U. S. Department of Housing and Urban Development 



**EQUAL HOUSING
OPPORTUNITY**

**We Do Business in Accordance With the Federal Fair
Housing Law**
(The Fair Housing Amendments Act of 1988)

**It is illegal to Discriminate Against Any Person
Because of Race, Color, Religion, Sex,
Handicap, Familial Status, or National Origin**

<input type="checkbox"/> In the sale or rental of housing or residential lots	<input type="checkbox"/> In the provision of real estate brokerage services
<input type="checkbox"/> In advertising the sale or rental of housing	<input type="checkbox"/> In the appraisal of housing
<input type="checkbox"/> In the financing of housing	<input type="checkbox"/> Blockbusting is also illegal

Anyone who feels he or she has been discriminated against may file a complaint of housing discrimination:
1-800-669-9777 (Toll Free)
1-800-927-9275 (TTY)

U.S. Department of Housing and Urban Development
Assistant Secretary for Fair Housing and Equal Opportunity
Washington, D.C. 20410

Previous editions are obsolete Form HUD-928.1 (2/2003)





**IGUALDAD DE OPORTUNIDAD
EN LA VIVIENDA**

Conducimos nuestros negocios de acuerdo a la Ley Federal de Vivienda Justa

(Acta de enmiendas de 1988 de la Ley Federal de Vivienda Justa)

Es ilegal discriminar contra cualquier persona por razon de su raza, color, religion, sexo, incapacidad fisica o mental, la presencia de niños menores de 18 años o de mujer embarazada en su familia o su origen nacional

- En la venta o renta de vivienda y terrenos residenciales
- En los servicios de corretaje que prestan vendedores de vivienda
- En los anuncios de venta o renta de vivienda
- En la valoracion de vivienda
- En la financiamiento de vivienda
- Tambien es ilegal forzarle a vender o rentar su vivienda diciendole que gente de otra raza, religion o grupo etnico se estan mudando en su vecindario
- Amenazar o interferir con la persona para que no registre su queja

Cualquier persona que sienta que fue discriminada debe de enviar su queja de discriminacion:

1-800-688-8777 (llamada gratis)
1-800-627-8275 (TDD llamada gratis)

Previous editions are obsolete

U.S. Department of Housing and Urban Development
Assistant Secretary for Fair Housing and Equal Opportunity
Washington, D.C. 20410

Form HUD-928.1A (3/2003)

HUD Fair Housing Poster - Spanish

<http://www.hud.gov/offices/adm/hudclips/forms/files/928-1a.pdf>



Display of Fair Housing Posters

The HUD Fair housing Poster **will be** displayed in a conspicuous location as follows:

- In all RD State Offices, Area/Local Offices and National Office.
- In the business office and construction site of all new single family housing subdivisions where all dwellings are sold.
- In the business office and at the construction site of new MFH/LH projects, and the business office of existing MFH/LH projects.



Display of Fair Housing Posters

- In the business office of real estate brokers, auctioneers, and dealer contractors doing business with RD under Rural Housing programs.
- At inventory properties being sold. The Fair Housing Logotype sticker may also be displayed at inventory properties.
- In the business office for nursing homes, group homes, retirement homes, boarding homes, residential care and detoxification facilities, etc., financed under RD's CF program.



Fair Housing Complaint Processing

Who may file a complaint:

- Any aggrieved person may file a complaint no later than 1 year after an alleged discriminatory housing practice(s) has occurred or terminated.
- The complaint may be filed with the assistance of an authorized representative of an aggrieved person, including any organization acting on behalf of an aggrieved person.



Persons Against Whom Complaints May be Filed

- A complaint may be filed against any RD employee or in RD's programs for housing purposes, alleged to be engaged, about to engage, or have engaged in a discriminatory housing practice.
- A complaint may also be filed against any person who directs or influences the conduct of another person with respect to any aspect of the sale, rental, advertising or financing of dwellings, or in the provision of brokerage servicing relating to the sale or rental of dwellings under RD's, housing program.



Where to File Complaints

- Aggrieved persons may file complaints with the Secretary of Agriculture, or with a USDA, Rural Development, Administrator, at 1400 Independence Avenue, SW., Washington, D.C. 20250
- Complaints may also be filed in person or by mail with the Office of Fair Housing and Equal Opportunity, Department of Housing and Urban Development (HUD), Washington, D.C. 20410, or a HUD Regional Office



DISCRIMINATION COMPLAINT PROCESSING - MOU

- Assisted Program Complaints filed with RD are processed in accordance with, RD Instruction 2000-GGG (copies of complaints are forwarded to HUD so that they can be processed under the Fair Housing Act in addition to USDA processing them under the laws USDA is responsible for enforcing).
- All complaints alleging discrimination must be forwarded to Rural Development's Civil Rights Staff (through the State's Civil Rights Manager or Coordinator).



Sanctions

- Victims of discriminatory housing practices may seek *civil penalties* through the Department of Housing and Urban Development's administrative process, or by private lawsuit.
- Participants found to have engaged in discriminatory housing practices will be subject to the civil penalties set forth in the Fair Housing Act



QUESTIONS ?

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USDA Rural Development
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Davenport, FL 33897
352-275-2016
E-mail: catrina.southall@fl.usda.gov

