



# Office of Fair Housing & Equal Opportunity

# What is Fair Housing?

Fair housing is the right of all people to be free from discrimination in the rental, sale, or financing of housing.

# History of Fair Housing



- **1948**: Supreme Court rules racially restrictive covenants unenforceable
- **1950s-1960s**: states and localities pass laws in response to increasing patterns of segregation
- **1968**: Federal Fair Housing Act passed
- **1974**: Act amended to include sex
- **1988**: Act amended to included stronger enforcement efforts, and disability & familial status protections

# Discrimination under the Fair Housing Act

- Discrimination means being treated differently than others (not all discrimination is illegal)
- Illegal Discrimination = Covered Issue + Covered Basis

Covered Basis: race; color; religion; sex; national origin; disability; and familial status.

# Fair Housing Act- Covered Issues

**In the sale or rental of housing, it is illegal to:**

- Refuse to rent, sell, or negotiate;
- Provide different terms and conditions
- Advertise or make any statement expressing a limitation or preference.

**In lending,** illegal to refuse to make available or purchase a mortgage, provide information, or impose different loan terms or conditions, brokerage services

Illegal to threaten, coerce, intimidate, or interfere with anyone assisting in or exercising a fair housing right



# Housing for Older Persons

- Fair Housing Act: **familial status exemption** if:
  - HUD certification
  - Intended for, and solely occupied by 62+
  - Intended and operated for occupancy 55+ (>80%)
- **Nondiscrimination on the basis of age** in HUD programs or activities receiving federal financial assistance
  - *The Age Discrimination Act of 1975*
- Policy to collaborate with other federal, state, and local partners to better coordinate **tying affordable housing with voluntary supportive services**
  - Should be voluntary (mandates can create barriers or loss of housing opportunity)

# Office of Fair Housing and Equal Opportunity



Works to eliminate housing discrimination, promote economic opportunity, and achieve diverse, inclusive communities.

- Enforcement
- Technical assistance and training
- Education and Outreach



# Enforcement

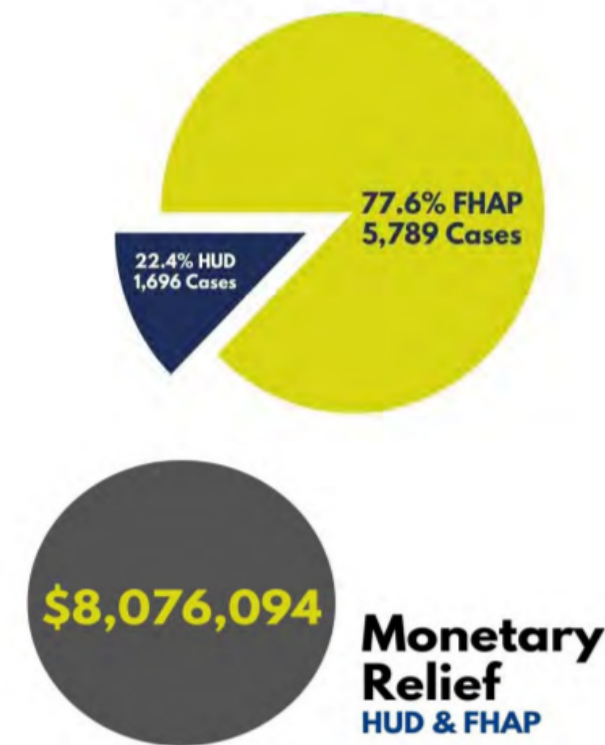
- **Complaints** originate from members of the public, systemic, Secretary-initiated
  - **Conciliation** (settlement) for individual and public interest relief
  - **Investigation** (determination on facts)
  - **Charge** in court and/or adjudicate administratively
- Enforce with the help of State and local agency partners
  - Fair Housing Assistance Program



# 2020 Enforcement in Numbers

Table 1.1: Basis Claimed in Complaints Filed with HUD and FHAP Agencies, FY 2020

	# of Complaints	% of Complaints
<b>Disability</b>	4,612	60.9%
<b>Race</b>	1,996	26.3%
<b>Retaliation</b>	921	12.2%
<b>Sex</b>	854	11.3%
<b>Familial Status</b>	767	10.1%
<b>National Origin</b>	674	8.9%
<b>Color</b>	256	3.4%
<b>Religion</b>	157	2.1%



# FHEO Programs and Compliance

- **Monitor affirmative requirements tied to federal funding**
  - Ensure accessibility and supportive services with individuals with **disabilities**
  - Provide meaningful access to their programs and translation for persons with **limited English proficiency**
  - Nondiscrimination based on **age** and housing for **elderly**
  - Equal access for **LGBTQ+**
- **Conduct Compliance Reviews**
- **Offer Technical Assistance and Training**



# More Information

**Annual reports on the State of Fair Housing are available at:**

[https://www.hud.gov/program\\_offices/fair\\_housing\\_equal\\_opp/annualreport](https://www.hud.gov/program_offices/fair_housing_equal_opp/annualreport)



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