

# The Federal Fair Housing Act

prohibits discrimination in housing based on these protected classes:

- Race
- Color
- National Origin
- Religion
- Sex
- Disability
- Familial status (households with children under 18)
- Ancestry
- Marital status
- Age (+40)
- Military status
- Sexual orientation
- Gender identity
- Order of Protection status
- Unfavorable military discharge

***Federal law defines disability as a physical or mental impairment which substantially limits one or more major life activities***

**Any individual who currently has, has a history of, or is regarded as having such an impairment is covered under Federal law.**

Such impairments include:

- Mental or physical impairments
- Emotional disorders
- Serious impairments in eyesight, hearing, or speech
- Specific diseases, such as AIDS
- Alcoholism and drug addition (not including those currently using illegal drugs)



Founded in 1968, HOPE serves Chicago's Northwestern & Western suburbs, as well as 28 other counties in Northern & North Central Illinois



All of HOPE's services are free



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# HOPE Fair Housing Center



## Fair Housing and People with Disabilities



Federal and local laws protect people with disabilities from discrimination in housing. These laws also provide methods of increasing accessibility so that all people have equal opportunity to housing.

# THE FAIR HOUSING ACT HAS SPECIAL PROTECTIONS FOR INDIVIDUALS WITH DISABILITIES

## Reasonable Accommodations

are changes in rules, policies, practices, or services that allow a person with a disability to use and enjoy their housing. Such accommodations must be granted, unless the landlord or housing provider can show a legitimate business reason for denial.

- Individuals requiring service animals are allowed to rent in buildings with "No Pets" policies
- Landlords may not restrict the use of building amenities, such as a pool, that is available to other tenants

## Reasonable Modifications

require landlords or housing providers to allow reasonable modifications to the structure of the existing premises at the **tenant's** expense, unless the unit is HUD- subsidized.

- Modifications must remain reasonable. For example, building a ramp is reasonable, but installing an elevator is not.
- Modification requests cannot be denied on the basis of aesthetics.

## No Illegal Inquiries

The housing provider may ask for verification of a person's disability if it is not obvious and the need for the accommodation is not obvious. However, the housing provider may **not** ask the person with a disability or a certifying professional about the nature or severity of the individual's disability.

- A housing provider or landlord **cannot** ask if an individual is capable of independent living.
- A housing provider or landlord **cannot** ask for diagnosis, treatment, medical records, or medications.

**New Construction** of multifamily housing built after March 13, 1991 must be designed and constructed so that it meets the 7 accessibility requirements of the Fair Housing Act.

**All people are protected against discrimination based on the protected classes in regard to selling, renting, zoning, buying, financing, and insurance.**

## If you think you may be a victim of housing discrimination:

- **Contact** HOPE Fair Housing Center.
- **Document** meetings and phone calls with landlords, property managers, real estate agents, loan officers, and insurance agents.
- **Save** all receipts, copies of applications, business cards, and other documents.

## When appropriate, HOPE can:

- Investigate potential discrimination
- Advocate on your behalf with a housing provider
- Assist in filling a Department of Housing & Urban Development (HUD) complaint
- Help conciliate your case with the offending party
- Refer your case to attorneys that are experts in fair housing litigation

Legitimate reasons for someone not to rent or sell a dwelling include insufficient income and poor credit history. Whatever policies are in place must be applied to ALL participants.