

Arrest & Conviction:

A FAIR HOUSING GUIDE



Your arrest record is protected under fair housing laws.

Under the Illinois Human Rights Act, a housing provider cannot discriminate against you based on **an arrest that did not lead to a conviction, a juvenile record, or any record ordered expunged, sealed, or impounded.**

If you have been denied or otherwise removed from housing due to an arrest not leading to a conviction or another covered record, **consider sending a letter of self-advocacy** or reach out to your local fair housing organization.

Self-advocacy letters:
hopefair.org/toolkits



Who is Protected?

Everyone in the **United States** is protected from discrimination in housing based on their:

- Race
- Color
- Religion
- Sex
- National origin
- Disability
- Familial Status

The **Illinois Human Rights Act** provides additional protections based on:

- Age (40+)
- Ancestry
- Arrest Record
- Gender Identity
- Immigration Status
- Marital Status
- Military Status
- Order of Protection Status
- Pregnancy Status
- Reproductive Health Decisions
- Sexual Orientation
- Source of Income
- Unfavorable Military Discharge

Cook County also offers additional protections:

- Housing Status
- Caste
- Ethnicity
- Bodily Autonomy
- Covered Criminal History



Your previous conviction should not stand in your way of a place to call home.

Housing providers should take an individualized approach when evaluating an applicant's conviction record. This means they should consider your entire situation before accepting or rejecting your application.

If a housing provider denies you based on a conviction record, they must be able to show that the particular record indicates a risk to resident safety and/or property.

Housing providers should consider the following when evaluating conviction records:

1. The nature and severity of the conviction
2. Accuracy of the record
3. The amount of time that has passed since the conduct occurred
4. Any evidence of rehabilitation efforts
5. Any tenant history before and/or after the conviction

If you have been denied or otherwise removed from housing due to a conviction record, **consider sending a letter of self-advocacy** or reach out to your local fair housing organization.

FILING A COMPLAINT

If you believe you have faced housing discrimination, you have the option to file a complaint. You can file within two years from the last act of discrimination in court, or you have one year to file with an administrative venue such as:

The Illinois Department of Human Rights (IDHR)

dhr.illinois.gov/filing-a-charge/housing.html

or (312) 814-6200 / (866) 740-3953 (TTY).

Cook County

cookcountyil.gov/service/complaint-filing-and-investigation

or (312) 603-1100