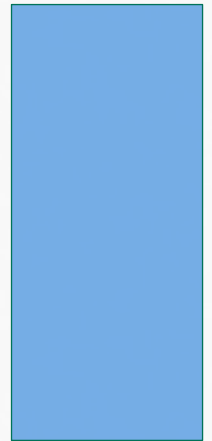




*Building Communities,  
Changing Lives*

# FAIR HOUSING BASICS

COMMUNITY TEAMWORK'S FAIR HOUSING PROGRAM



# HUD FAIR HOUSING GRANT RECIPIENT

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# THE FAIR HOUSING PROGRAM AT CTI

- Tenant assistance
  - Information and resources
  - Evictions
    - Communicating with landlords
    - Help with court paperwork
    - Computer and office space for Zoom hearings
  - Housing Discrimination
    - Communicating with landlords
    - Reasonable accommodation and modification requests
    - Help filing complaints
- Advocacy for state and local fair housing policies and planning
- The Fair Housing Program does NOT provide legal advice



# HOUSING RIGHTS

- Tenant Rights: state laws governing landlord obligations
  - Safe and sanitary conditions
  - Eviction protections
  - No application fees or holding fees
  - Security deposit rules
  - Late fee rules
- Civil rights in housing, fair housing, housing discrimination
  - The right to rent and own
  - Equal treatment, equal term, equal conditions
  - Protection from harassment
  - Protection from discriminatory statements

# FAIR HOUSING RIGHTS

- Who is protected?
- Prohibited conduct
- Common civil rights issues and protections



# THE FAIR HOUSING ACT – HOW IT WORKS



Prohibits discrimination in housing when:

- The person belongs to a protected class;
- The person has suffered a housing related harm or unequal treatment; and
- The harm suffered is connected to membership in a protected class.

# PROTECTED CLASSES UNDER STATE AND FEDERAL FAIR HOUSING LAWS

- Race
- Color
- National Origin
  - Ancestry
- Religion
- Gender
  - Sexual orientation
  - Gender identity
- Family Status
- Disability

- Sexual Orientation
- Gender Identity/Expression
- Marital Status
- Age
- Housing Subsidy
- Public Assistance
- Veteran/Military Status
- Ancestry
- Genetic Information

# PROHIBITED CONDUCT

Discriminatory conduct can happen in many different ways:

- Refusal to rent or sell
- Otherwise make unavailable
  - False information on availability
  - Steering
- Different terms or conditions
- Discriminatory statements (oral or written)
- Threatening, intimidating, or coercing
- Retaliation
- Denial of reasonable accommodations and/or modifications





# HOUSING DISCRIMINATION – WHO, WHEN, HOW

- Who must comply?
  - Landlords, owners, property managers, condo boards, HOAs
  - Realtors, lenders, service providers, local governments, zoning boards
- When can it happen?
  - Anytime
    - Apartment searching and leasing
    - During the tenancy, and termination
- How does it happen?
  - Direct, circumstantial, and/or pretextual
    - Discriminatory intent
    - Disparate impact

# DISABILITY DISCRIMINATION AND REASONABLE ACCOMMODATIONS

Reasonable accommodations are changes “in rules, policies, practices, or services, when such accommodations may be necessary to afford such person equal opportunity to use and enjoy a dwelling.”  
42 U.S.C. §3604(f)(3)(B).

# HOUSING RIGHTS RESOURCES



# RESOURCES - LEGAL

- Legal aid organizations by region
  - <https://mlac.org/wp-content/uploads/2022/04/MLAC-Legal-Aid-Org-Map-and-Contact-New-Logo.pdf>
- Legal aid and subject matter legal aid organizations
  - <https://mlac.org/help/#lawyer>
- Massachusetts court information
  - Housing Court: <https://www.mass.gov/orgs/housing-court>
  - District Court: <https://www.mass.gov/orgs/district-court>
  - Court Service Centers: <https://www.mass.gov/info-details/learn-about-court-service-centers>
- Filing a fair housing complaint
  - HUD: [https://www.hud.gov/program\\_offices/fair\\_housing\\_equal\\_opp/online-complaint](https://www.hud.gov/program_offices/fair_housing_equal_opp/online-complaint)
  - MCAD: <https://www.mass.gov/file-a-complaint-of-discrimination>

# RESOURCES – SELF HELP

- MassLegalHelp
  - <https://www.masslegalhelp.org/legal-tactics>
- MADE – complete eviction forms online
  - <https://interviews.gbls.org/run/eviction/#/1>
- Made Up to Code – complete housing code forms online
  - <https://madeuptocode.org/>
- Restraining orders – complete forms online
  - [https://apps.suffolklitlab.org/run/housing\\_tro/#/1](https://apps.suffolklitlab.org/run/housing_tro/#/1)
- Bazelon Guide on Fair Housing for People with Disabilities
  - [https://securereservercdn.net/198.71.233.111/d25.2ac.myftpupload.com/wp-content/uploads/2018/05/Fair-Housing-Guide\\_2018-Update.pdf](https://securereservercdn.net/198.71.233.111/d25.2ac.myftpupload.com/wp-content/uploads/2018/05/Fair-Housing-Guide_2018-Update.pdf)

# BASICS ON DISABILITY DISCRIMINATION AND REASONABLE ACCOMMODATIONS

- Understanding your rights
  - HUD Overview: [https://www.hud.gov/program\\_offices/fair\\_housing\\_equal\\_opp/disability\\_main](https://www.hud.gov/program_offices/fair_housing_equal_opp/disability_main)
  - Bazelon Center for Mental Health Law Fair Housing Guide: [https://secureservercdn.net/198.71.233.111/d25.2ac.myftpupload.com/wp-content/uploads/2018/05/Fair-Housing-Guide\\_2018-Update.pdf](https://secureservercdn.net/198.71.233.111/d25.2ac.myftpupload.com/wp-content/uploads/2018/05/Fair-Housing-Guide_2018-Update.pdf)
  - Disability Law Center Guide on Emotional Support Animals: <https://www.dlc-ma.org/wp-content/uploads/2018/10/Emotional-Support-Animals-in-Housing.pdf>
  - Disability Law Center Guide on Reasonable Accommodations: <https://www.dlc-ma.org/wp-content/uploads/2018/06/Housing-and-RA.pdf>
- Doctor's letters
  - MassLegalHelp General Tips: <https://www.masslegalhelp.org/health/sickle-cell-disease/housing-doctor-letter-article>
  - Bazelon Sample Service Provider letter: <https://secureservercdn.net/198.71.233.111/d25.2ac.myftpupload.com/wp-content/uploads/2017/04/ESA-Sample-Letter.pdf>

# TECHNICAL GUIDANCE ON ACCOMMODATIONS AND MODIFICATIONS

- HUD/DOJ Joint Statement on Reasonable Accommodations:  
[https://www.hud.gov/sites/documents/DOC\\_7502.PDF](https://www.hud.gov/sites/documents/DOC_7502.PDF)
- HUD/DOJ Joint Statement on Reasonable Modifications:  
[https://www.hud.gov/sites/documents/DOC\\_7502.PDF](https://www.hud.gov/sites/documents/DOC_7502.PDF)
- HUD FHEO Assistance Animal Guidance:  
[https://www.hud.gov/sites/documents/DOC\\_7502.PDF](https://www.hud.gov/sites/documents/DOC_7502.PDF)

# HOUSING ASSISTANCE

- Community Action Agencies by region
  - <https://www.masscap.org/agencies/>
- RAFT
  - <https://www.mass.gov/service-details/residential-assistance-for-families-in-transition-raft-program>
- Housing Consumer Education Centers
  - <https://www.masshousinginfo.org/>



# STAY CONNECTED

- Email: [fairhousing@commteam.org](mailto:fairhousing@commteam.org)
- Website: [www.commteam.org](http://www.commteam.org)
  - Online Request for Assistance:  
<https://www.cognitoforms.com/CommunityTeamwork1/FairHousingRequestForAssistance>
  - Online Training Registration:  
<https://www.cognitoforms.com/CommunityTeamwork1/FairHousingTrainingRegistration>
  - Email Listserv
    - Tenant  
<https://www.cognitoforms.com/CommunityTeamwork1/FairHousingTenantMailingList>
    - Housing provider  
<https://www.cognitoforms.com/CommunityTeamwork1/FairHousingHousingProvidersMailingList>



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