

FAIR HOUSING: KNOW YOUR RIGHTS

It is illegal to discriminate in housing based on federal, and all applicable state and local protected classes.

Federal:

- race
- color
- sex
- national origin
- religion
- familial status
- disability

Maryland:

- gender identity
- marital status
- military status
- sexual orientation
- source of income

Anne Arundel County:

- age
- ancestry
- citizenship
- creed
- marital status
- occupation
- sexual orientation
- source of income
- gender identity or expression

DISABILITY RIGHTS BEST PRACTICES

- Requests for reasonable accommodations (RA) and reasonable modifications (RM) help people to fully access and enjoy their homes.
- A request can be made verbally or in writing.
- A housing provider can ask an individual to verify that they *have a disability only if the disability is not obvious*.
- Doctors, medical professionals, therapists, caseworkers, and reliable third parties can verify if someone has a non-observable disability.
- A housing provider can ask an individual to verify that their *request is related to their disability only if the link is not obvious*.

TYPES OF HARASSMENT

- *Quid pro quo harassment* occurs when someone makes an unwelcome request or demand, and compliance becomes a condition for accessing housing benefits (e.g., a property manager offers to lower rent in exchange for an applicant to perform a sexual favor).
- *Hostile environment harassment* occurs when severe or pervasive unwelcome behavior interferes with housing (e.g., a tenant repeatedly makes derogatory racial slurs towards another tenant).
- Any person involved in a real estate-related transaction can be held responsible for harassment. Housing providers are also responsible for responding to tenant reports of harassment from another tenant or neighbor.

SOURCE OF INCOME PROTECTIONS

- Housing providers should accept all legal sources of income (e.g., landlords should not advertise, "Must be employed!").
- Landlords cannot discriminate against people with housing vouchers (e.g., misrepresenting that some units aren't available to voucher holders, steering voucher holders to other properties).
- Minimum income requirements can only be applied to the applicant's portion of the rent.

TENANT SCREENING BEST PRACTICES

- Housing providers should make an individualized assessment of an applicant's criminal record, credit, and eviction history.
- Before or during the tenant screen, applicants should:
 - Ask about screening criteria before paying fees or deposits,
 - Ask to look beyond credit score and consider individual aspects of a credit report, and
 - Ask to waive screening criteria when irrelevant (e.g., minimum income requirements for voucher holders and reasonable accommodations related to disability or domestic violence).
- If denied, applicants should:
 - Ask for a detailed denial letter that includes copies of records used to make the determination, including any screening reports,
 - Correct, challenge, or provide evidence of mitigating circumstances when inaccurate or incomplete information led to a denial, and
 - Ask the provider to conduct an individualized review (e.g., ask to reconsider if an eviction due to a job loss leads to a rejection).

LENDING & APPRAISAL BIAS

- To combat discrimination, read your appraisal report and raise concerns with lenders.
- *Lending Bias Example:* A lender refuses to consider a mortgage applicant's disability-related income (e.g., SSI or SSDI).
- *Appraisal Bias Example:* An appraiser lowers a home value after learning about the owner's race or national origin.

ADDITIONAL RESOURCES

- [Reasonable Modifications Under the FHA](#)
- [Reasonable Accommodations Under the FHA](#)
- [HUD Guidance on Assistance Animals](#)
- [HUD Guidance on Screening of Applicants for Rental Housing](#)
- [Quid Pro Quo and Hostile Environment Harassment ...under the FHA, 2016](#)
- [HUD Fact Sheet Addressing Harassment for Property Owners and Managers](#)
- [HUD Fair Lending Guide](#)

WHO SHOULD I CONTACT IF I BELIEVE I'VE BEEN DISCRIMINATED AGAINST IN HOUSING?

You can report housing discrimination to the ERC by calling 202-234-3062 or emailing info@equalrightscenter.org. You can also file a complaint directly with HUD on their [website](#) or with the Maryland Commission on Civil Rights on their [website](#).

HOW CAN THE ERC HELP?



Civil rights testing

Trained civil rights testers pose as persons seeking housing to find out if and how discrimination is occurring.



Reasonable accommodations & modifications

Assisting people with disabilities with requesting reasonable accommodations or modifications.



Fair housing complaint

Assisting you with filing a housing discrimination complaint with HUD or the appropriate state/local agency.



Advocacy

Advocating on your behalf (ie. requesting a policy change) with a housing provider to address possible discrimination.