

FAIR HOUSING

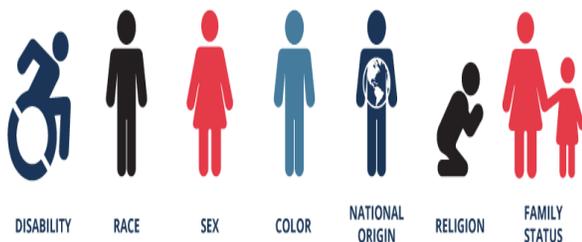
This brochure provides basic information about fair housing law. For questions, call the Program Specialist-Fair Housing at **617-625-6600 x2578** or **contact one of the resources on the back of this brochure.**

Under Massachusetts law it is illegal to discriminate against individuals/families in the search for housing or during their tenancy because of:

- **Race***
- **Color***
- **Religion***
- **National origin***
- **Sex***
- **Disability***
- **Family status (have children)***
- **Marital status**
- **Receipt of public assistance (Section 8)**
- **Sexual Orientation**
- **Age (18 or older)**
- **Ancestry**
- **Military status**
- **Gender identity**
- **Genetic information**

***covered by federal fair housing law**

People who experience discrimination because of the above characteristics are called **“Protected Classes.”**



It is illegal for owners, real estate brokers/agents, lenders and their agents to set different terms or conditions for protected classes.

ILLEGAL ACTS AGAINST TENANTS

- Refusal to rent to a person because of the person's need for reasonable modification or accommodation
- Require a household with children to pay a higher security deposit because of a belief that children are likely to damage the unit
- Falsely represent the availability of units (say units aren't available or fail to show units in the price and size range asked about)
- **Advertise (or verbally describe) a unit as 'no Section 8,' "no children," "not deleaded"**
- Refuse to show a unit or reject an application simply because a person has a Section 8 Voucher or because the owner does not like Section 8 requirements (i.e. doesn't want to do paperwork, says unit will not pass inspection)
- Refuse to show or rent a unit to households with children because it contains lead paint

ILLEGAL ACTS AGAINST HOMEBUYERS

- Redlining: Lenders unfairly denying mortgage applications for homes in neighborhoods with high percentages of minority residents
- Steering: Advising individuals to rent or purchase homes in certain neighborhoods or failing to show or to inform buyers of homes that meet their specifications due to their protected class
- Refusal to provide information regarding loans

ACCEPTABLE SCREENING

Owners are not automatically required to rent or sell units to members of protected classes. *The law says owners must treat all applicants the same way, regardless of protected class.*

If owners require all applicants to provide the same information, they can choose tenants based on that information.

An owner can require certain information to know whether applicants meet eligibility requirements for the unit.

- Information that demonstrates that the applicant will be able to pay the rent
- Require or look up credit score
- Request prior landlord references
- Verification of disability in housing that is specifically reserved for persons with disabilities

EXEMPTIONS

Some owner-occupied properties may be exempt from fair housing law. The protection afforded to familial status does not apply to:

- Owner-occupied two family home
- Three family home or less where one of the units is occupied by an elderly or an "infirm person," suffering from a chronic illness and presence of children would constitute a hardship
- Discriminatory advertising is illegal even if you meet exemption requirements

IF YOU FEEL YOU ARE BEING DISCRIMINATED AGAINST

If you believe your fair housing rights are being violated, you may be able to file a discrimination complaint. The Fair Housing Commission can provide advice and/or assistance about the complaint process.

To file a complaint, you will need:

- The date the discrimination occurred
- The names, addresses and telephone numbers (if known) of the person or persons who discriminated (e.g. the owner, broker or manager), and
- Any paperwork that supports your allegation

Under state law, complaints must be filed no later than 300 days (about 10 months) after the last act of discrimination occurred. Complaints covered by federal law must be filed no later than one year.

It is recommended that you contact an enforcement or fair housing agency as soon as you believe you experienced discrimination. Contacting an agency that can investigate quickly may lead to a faster resolution.

A successful complainant may be awarded:

- The unit in question, if it is still available
- Actual monetary damages, moving expenses, storage expenses and other costs
- Emotional distress damages

CITY PROGRAMS TO HELP OWNERS COMPLY WITH FAIR HOUSING LAWS

The City of Somerville offers forgivable & deferred 0% interest loans for qualifying projects. View income requirements and find more information at www.somervillema.gov/housing or call the Housing Division at 617-625-6600 x2577.

IF YOU HAVE QUESTIONS

The Program Specialist-Fair Housing is available to confidentially answer questions or refer tenants, buyers, and landlords to various resources. Please call 617-625-6600 x2578.

OTHER RESOURCES

The Somerville Fair Housing Commission focuses on discrimination in Somerville. There are other agencies in Greater Boston that can answer fair housing questions and investigate complaints:

Massachusetts Commission Against Discrimination (MCAD)

1 Ashburton Place - Room 601, Boston, MA 02108
617-727-3990
www.mass.gov/about-the-mcad

Massachusetts Attorney General

Civil Rights Division
1 Ashburton Place - 20th Floor, Boston, MA 02108
617-963-2917
www.mass.gov/contact-the-attorney-generals-office

U.S. Department of Housing and Urban Development (HUD) 10 Causeway Street, Boston, Massachusetts 02222, 1-800-827-5005
www.hud.gov/program_offices/fair_housing_equal_opp/online-complaint

FAIR HOUSING LAW BASICS



Somerville Fair Housing Commission

50 Evergreen Avenue
Somerville, MA 02145
(617) 625-6600 x2578

City of Somerville
Mayor Joseph A. Curtatone

www.somervillema.gov/FHC

 Somerville Fair Housing
Commission

