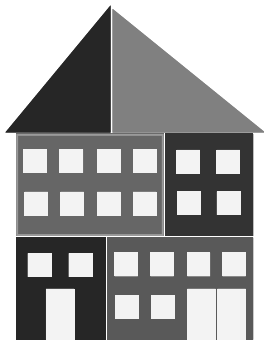


USEFUL TIPS

What you should do if you believe you have experienced housing discrimination:

- Contact the Fair Housing Project and report the discrimination to us.
- Keep a journal of incidents of discrimination.
- Write down what you experienced, including names, dates, addresses, rental terms, and any other details about your interaction.
- Keep any documents related to the discrimination, including all emails and text communications.
- Following the incident, you have one year to file an administrative complaint or two years to file a lawsuit in court.



THE FAIR HOUSING PROJECT

The Fair Housing Project of Legal Aid of North Carolina is available to provide information concerning a person's rights under the federal Fair Housing Act. If you believe you are a victim of housing discrimination, contact us for assistance at **1-855-797-3247**. A project staff person will discuss the situation with you and help you to decide what to do next. Your response to us will be kept confidential.

When necessary, our staff can assist you in filing a complaint with the U.S. Department of Housing and Urban Development (HUD), local human relations commissions, or in court.

Fair Housing Project

LEGAL AID OF NORTH CAROLINA

P.O. Box 26087

Raleigh, NC 27611

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HOUSING DISCRIMINATION

FAIR HOUSING FOR FAMILIES WITH CHILDREN



**LEGAL AID
OF NORTH CAROLINA**

Fair Housing Project

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HOUSING DISCRIMINATION

The federal Fair Housing Act (“FHA”) prohibits discrimination in housing based on a person’s **race, color, religion, national origin, sex, familial status, and disability**.

FAMILIAL STATUS DISCRIMINATION

Under the FHA, familial status discrimination occurs when a landlord, property manager, real estate agent, or property owner treats someone differently because they have a family with one or more individuals who are under 18 years of age.

A “family” also includes people who are pregnant and people who are in the process of securing legal custody of a person under 18 years of age, including a family that is in the process of adopting a child, or foster parents.

All families with children are protected by the FHA against familial status discrimination, including single-parent households and same-sex couples with children.

HOUSING FOR OLDER PERSONS

Housing for older persons, such as housing for “55 and older” or “62 and older,” may have a limited exemption from the FHA’s prohibition against familial status discrimination. Certain HUD-administered housing may also restrict occupancy to older persons. Contact the Fair Housing Project for more information.

Housing for older persons must still comply with the other provisions of the FHA.

COMMON VIOLATIONS OF THE FHA

There are many forms of familial status discrimination. These are just a few examples of conduct that may violate the FHA:

- Refusing to rent, sell, or negotiate with a family because the family has one or more children under 18 years of age.
- Telling a family no unit is available even though a unit is in fact available.
- Forcing families into housing units that are larger than necessary.
- Designating certain floors or buildings for families with children, or encouraging families with children to reside in particular areas.
- Charging additional rent, security deposit, or fees because a household has children under 18 years of age.
- Advertising a preference for households without children or otherwise discouraging such families.

EXAMPLES OF DISCRIMINATORY STATEMENTS

- *“We don’t rent to families with children.”*
- *“Each child must have their own bedroom.”*
- *“This neighborhood has a lot of retirees. You might be happier in an area with more kids.”*
- *“Families with kids must rent first floor units.”*
- *“Adults preferred.”*
- *“Families with kids may only rent in buildings near the playground.”*

OVERLY RESTRICTIVE RULES

Rules that unreasonably restrict children or limit the ability of children to use their housing or the common facilities at the property may violate the FHA. In addition, enforcing certain rules only against families with children may also violate the FHA.

EXAMPLES OF DISCRIMINATORY RULES

- *“Pool rules: children under 18 must be accompanied by a parent or legal guardian.”*
- *“Persons under 18 years of age must be in their home or on their patio by sunset.”*

OCCUPANCY RESTRICTIONS

Most cities, towns, and villages have occupancy codes that regulate the number of people that can live in an apartment or house. These codes are often based on total square footage of the unit and particular rooms.

A landlord may limit the number of people allowed to live in a dwelling based on a reasonable occupancy code. However, if a landlord uses an occupancy standard that is stricter than what is allowed by the local occupancy code, then it may constitute discrimination under the FHA.

For more information, contact the Fair Housing Project.

