

Fair Housing and LGBTQ Fair Housing Rights SPECTRUM

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Fair Housing Laws

- Civil rights laws promoting "equal access" to housing
- Makes it illegal for housing providers to discriminate against certain groups known as protected classes



 Different from landlordtenant law

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Federal Protected Classes

- Race
- Color
- · National Origin
- Religion
- Gender
- Familial Status (families with children)
- Disability



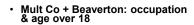


Oregon Protected Classes

- · Marital Status
- Source of Income
 - TANF, SSD, SSI
 - Section 8
 - Agency rent payments











Issues

- Refusing to rent, sell or finance to someone based on their gender identity/sexual orientation
- Giving out false or inconsistent information to someone based on their gender identity/sexual orientation
- Harassment based on gender identity/sexual orientation

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Harassment

- When is harassment a Fair Housing issue?
- Almost a third of all acts of hate and harassment happen in housing
- National uptick in harassment against protected classes
- Only 1 in 15 acts of hate and harassment are ever reported





Housing Provider Responsibilities

Language from 2016 HUD Ruling on Harassment

- "Corrective action may include verbal and written warnings, enforcing lease provisions to move, evict, or otherwise sanction tenants who harass or permit guests to harass."
- "Housing provider should follow up to make sure the corrective action was effective."
- "Liability arises when the person/entity knew or should have known that a resident was harassing another resident and yet, did not take prompt action to correct and end it."

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Forms of Harassment

- Words especially if threat and/or continuing
- Actions (spying, touching, leaving derogatory messages on car, etc.)
- · Emails, texts, social media
- Displaying hate symbols (swastikas,
- In most cases, more than one incident, severe





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Harassment Based on Protected Class

- Neighbor of lesbian couple harassing and leaving dog poop on porch of mobile home
- Upstairs neighbors harassing gay man in downstairs apartment





If the Harassment <u>IS</u> a Fair Housing Issue

- Housing provider should:
 - Investigate and document
 - Take prompt corrective action warning, notice
 - Document every step of the way
 - Follow up with victim
 - Failure to act violation of FHA



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Preventing Harassment

- Advisable for housing providers to have resident on resident harassment policy and review it at move in
- Use tools like newsletters etc. to educate tenants about harassment policies and reporting



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Best Practices

- Ask a person their name and pronouns in interpersonal interaction
- Promote a safe environment with zero tolerance of harassment
- As with everything, focus on the behavior of the tenant rather than on any stereotypic assumptions



Best Defense

- Consider your unconscious bias
- Treat everyone the same

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Contact the Fair Housing Council of Oregon for More Information

Housing Provider Questions? information@fhco.org (800) 424-3247 Ext. 5 www.fhco.org