



**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 landlord-tenant law




EQUAL HOUSING OPPORTUNITY

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Federal Protected Classes


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




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 **Oregon Protected Classes**

- Marital Status
- Source of Income
 - TANF, SSD, SSI
 - Section 8
 - Agency rent payments
- Sexual Orientation/Gender Identity
- Domestic Violence survivors
- Mult Co + Beaverton: occupation & age over 18




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 **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



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 **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, etc.)
- 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




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 **If the Harassment IS 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 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

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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

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