

DOMESTIC VIOLENCE AND FAIR HOUSING



Know your rights as a survivor of domestic violence



WHAT IS FAIR HOUSING?

The federal Fair Housing Act makes it illegal to discriminate against someone in housing based on their race, color, national origin, religion, sex, disability, or familial status (the presence of children in the household under the age of 18). This law applies to most types of housing throughout the United States.

In addition, some states and local jurisdictions have additional protections for survivors of domestic violence. For example, the DC Human Rights Act makes it illegal to discriminate on the basis of status as a victim of an intra-family offense, which includes domestic violence, sexual assault, and stalking. This protection only applies in the District of Columbia.

HOW CAN FAIR HOUSING PROTECTIONS SUPPORT SURVIVORS OF DOMESTIC VIOLENCE?

While status as a survivor of domestic violence itself is not protected by the Fair Housing Act (FHA), [guidance](#) from the Department of Housing and Urban Development (HUD) has made it clear that there are many ways survivors are protected, especially under existing protections against discrimination on the basis of sex, race, national origin, and disability.

If a survivor believes they have experienced discrimination, they may be able to address their concerns through advocacy or by filing a fair housing complaint. Survivors with disabilities can also request [reasonable accommodations](#) that make it more possible for them to use and enjoy their housing.

WHAT DOES ILLEGAL HOUSING DISCRIMINATION AGAINST SURVIVORS LOOK LIKE? *Some examples may include:*

- A prospective tenant applies for housing at an apartment complex with the help of a domestic violence organization. The property manager denies her application, saying that they don't like renting to women who are survivors of domestic violence since they always go back to their abusers. The property manager's statement is direct evidence of discrimination based on sex, and is likely illegal under the FHA.
- A tenant's abusive ex-boyfriend breaks into her apartment and damages her unit. The landlord files for eviction against the survivor for violating a zero tolerance crime policy in the lease. The landlord has not evicted other victims of crime under the lease provision, such as a resident whose unit was burglarized. The eviction could be an example of illegal, unequal treatment under the FHA. Applying the crime free policy to survivors of domestic violence could also have an illegal disparate impact on multiple protected classes.
- A survivor of domestic violence with post-traumatic stress disorder (PTSD) gets an emotional support cat to help soothe their anxiety. They submit a reasonable accommodation request, but their property manager refuses to allow them to have the cat in their unit, citing the building's no-pets policy. Federal guidance states that emotional support animals in housing are not pets, and this could be illegal disability-based discrimination.

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

You can report an instance of housing discrimination to the Equal Rights Center by calling 202-234-3062 or emailing info@equalrightscenter.org.

You can also file a complaint directly with HUD on their [website](#).

www.equalrightscenter.org



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