

## FAIR HOUSING IS FOR EVERYONE

The Fair Housing Act protects people from discrimination when they are renting, buying, or securing financing for any housing. The Act prohibits discrimination in housing on the basis of:

- Race
- Color
- National Origin
- Religion
- Sex
- Disability
- Familial Status
- Sexual Orientation
- Gender Identity
- Elderliness\*

\* Being 55 or older; under Virginia Fair Housing Law.

## FAIR HOUSING RESOURCES

The City of Virginia Beach Department of Housing and Neighborhood Preservation has compiled this guide to provide you with basic information about your rights under the Fair Housing Act. For more information or to file a fair housing complaint, the following organizations are available to help:

### U.S. Department of Housing and Urban Development (HUD) Fair Housing Website:

[www.hud.gov/fairhousing](http://www.hud.gov/fairhousing)

### Fair Housing and Equal Opportunity Complaint Hotline

1-888-799-2085

### HUD - Richmond Field Office

600 East Broad St., 3rd Floor  
Richmond, VA 23219

(804) 771-2100 /// Toll Free: 1-800-842-2610

### Virginia Fair Housing Office - Department of Professional and Occupational Regulation (DPOR)

9960 Maryland Drive, Suite 400  
Richmond, VA 23233

(804) 367-8530 /// Toll Free: 1-888-551-3247

TDD: (804) 527-4290

[www.dpor.virginia.gov](http://www.dpor.virginia.gov)

## IF YOU THINK YOUR RIGHTS HAVE BEEN VIOLATED

HUD is ready to help with any problem of housing discrimination. If you think your rights have been violated, the Housing Discrimination Complaint Form is available to download, or complete and submit online at: [www.hud.gov/complaints/housediscrim.cfm](http://www.hud.gov/complaints/housediscrim.cfm).

You may also write HUD a letter, or contact the HUD Office nearest you. You have one year after an alleged violation to file a complaint with HUD, but you should file it as soon as possible.

### STEP 1: WHAT TO TELL HUD

- Your name and address
- The name and address of the person your complaint is against (the respondent)
- The address or other identification of the housing involved
- A short description of the alleged violation (the event that caused you to believe your rights were violated)
- The date(s) of the alleged violation

### STEP 2: WHERE TO WRITE OR CALL

Send the Housing Discrimination Complaint Form or a letter to the HUD Office nearest you, or call that office directly.

### If you are disabled, HUD also provides:

- A toll-free TTY phone for the hearing impaired: 1-800-927-9275
- Interpreters
- Tapes and braille materials
- Assistance in reading and completing forms

# FAIR HOUSING: KNOW YOUR RIGHTS



## A GUIDE TO FAIR HOUSING BASICS & RESOURCES



THE VIRGINIA BEACH DEPARTMENT OF HOUSING & NEIGHBORHOOD PRESERVATION DOES BUSINESS IN ACCORDANCE WITH THE FEDERAL FAIR HOUSING LAW AND SECTION 504 PROGRAM ACCESSIBILITY REQUIREMENTS. THE DEPARTMENT COMPLIES WITH THE FAIR HOUSING ACT AND PROVIDES REASONABLE ACCOMMODATIONS AND MODIFICATIONS TO PERSONS WITH DISABILITIES. VIRGINIA BEACH HOUSING & NEIGHBORHOOD PRESERVATION DOES NOT DISCRIMINATE ON THE BASES OF RACE, COLOR, RELIGION, SEX, DISABILITY, FAMILIAL STATUS, NATIONAL ORIGIN, SEXUAL ORIENTATION OR GENDER IDENTITY, IN ADMISSION OR ACCESS TO ITS PROGRAMS.

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Main: (757) 385-5750  
HouseNP@vb.gov.com

TDD: (757) 385-5794  
[www.vbgov.com/housing](http://www.vbgov.com/housing)

## WHAT HOUSING IS COVERED?

The Fair Housing Act covers most housing. In some circumstances, the Act exempts owner-occupied buildings with no more than four units, single-family housing sold or rented without the use of a broker, and housing operated by organizations and private clubs that limit occupancy to members.

## WHAT IS PROHIBITED?

**In the Sale and Rental of Housing:** No one may take any of the following actions based on race, color, national origin, religion, sex, familial status, handicap (disability), sexual orientation or gender identity:

- Refuse to rent or sell housing
- Refuse to negotiate for housing
- Make housing unavailable
- Deny a dwelling
- Set different terms, conditions or privileges for sale or rental of a dwelling
- Provide different housing services or facilities
- Falsely deny that housing is available for inspection, sale, or rental
- For profit, persuade owners to sell or rent (blockbusting), or
- Deny anyone access to or membership in a facility or service (such as a multiple listing service) related to the sale or rental of housing

**In Mortgage Lending:** No one may take any of the following actions based on race, color, national origin, religion, sex, familial status or handicap (disability), sexual orientation or gender identity:

- Refuse to make a mortgage loan
- Refuse to provide information regarding loans
- Impose different terms or conditions on a loan, such as different interest rates, points, or fees
- Discriminate in appraising property
- Refuse to purchase a loan, or
- Set different terms or conditions for purchasing a loan

In addition, it is illegal for anyone to:

- Threaten, coerce, intimidate or interfere with anyone exercising a fair housing right or assisting others who exercise that right
- Advertise or make any statement that indicates a limitation or preference based on race, color,

national origin, religion, sex, familial status, handicap (disability), sexual orientation or gender identity. This prohibition against discriminatory advertising applies to single-family and owner-occupied housing that is otherwise exempt from the Fair Housing Act.

## ADDITIONAL PROTECTION IF YOU HAVE A DISABILITY

If you or someone associated with you:

- Have/has a physical or mental disability (including hearing, mobility and visual impairments, chronic alcoholism, chronic mental illness, AIDS, AIDS Related Complex and mental retardation) that substantially limits one or more major life activities
- Have a record of such a disability, or
- Are regarded as having such a disability

Your landlord **may not:**

- Refuse to let you make reasonable modifications to your dwelling or common use areas, at your expense, if necessary for the disabled person to use the housing. (Where reasonable, the landlord may permit changes only if you agree to restore the property to its original condition when you move.)
- Refuse to make reasonable accommodations in rules, policies, practices or services if necessary for the disabled person to use the housing.

*Example 1:* A building with a no pets policy must allow a visually impaired tenant to keep a guide dog.

*Example 2:* An apartment complex that offers tenants ample, unassigned parking must honor a request from a mobility-impaired tenant for a reserved space near her apartment if necessary to assure that she can have access to her apartment.

However, housing need not be made available to a person who is a direct threat to the health or safety of others or who currently uses illegal drugs.

## REQUIREMENTS FOR NEW BUILDINGS

In buildings that are ready for first occupancy after March 13, 1991, and have an elevator and four or more units:

- Public and common areas must be accessible to persons with disabilities

- Doors and hallways must be wide enough for wheelchairs
- All units must have:
- An accessible route into and through the unit
- Accessible light switches, electrical outlets, thermostats and other environmental controls
- Reinforced bathroom walls to allow later installation of grab bars, and
- Kitchens and bathrooms that can be used by people in wheelchairs

If a building with four or more units has no elevator and will be ready for first occupancy after March 13, 1991, these standards apply to ground floor units.

These requirements for new buildings do not replace any more stringent standards in state or local law.

## HOUSING OPPORTUNITIES FOR FAMILIES

Unless a building or community qualifies as housing for older persons, it may not discriminate based on familial status. That is, it may not discriminate against families in which one or more children under 18 live with:

- A parent
- A person who has legal custody of the child or children, or
- The designee of the parent or legal custodian, with the parent or custodian's written permission

Familial status protection also applies to pregnant women and anyone securing legal custody of a child under 18.

*Exemption:* Housing for older persons is exempt from the prohibition against familial status discrimination if:

- The HUD Secretary has determined that it is specifically designed for and occupied by elderly persons under a Federal, State or local government program or
- It is occupied solely by persons who are 62 or older, or
- It houses at least one person who is 55 or older in at least 80 percent of the occupied units, and adheres to a policy that demonstrates an intent to house persons who are 55 or older

A transition period permits residents on or before September 13, 1988, to continue living in the housing, regardless of their age, without interfering with the exemption.