

## Definitions

Steering: maneuvering home-seekers to buy or rent in neighborhoods composed of persons of the same race.

- Example: A housing provider advises you to consider a certain neighborhood because the schools in the area are nearly all white.

Financial discrimination: denying any type of home loan for discriminatory reasons by lenders, including banks, savings and loan associations, insurance companies, and others, or giving less favorable loan terms.

- Example: A lender advises that you must place collateral in addition to the property you are seeking to purchase in order to secure the loan when that requirement does not apply to everyone.

## Contact Us

### The Fair Housing Project:

If you believe you have been a victim of housing discrimination, please call Legal Aid's fair housing helpline at **1-870-338-9834. The Fair Housing Project serves all of Arkansas regardless of income.**

Our staff will discuss the situation with you and help you decide what to do next. When necessary, our staff may assist you in filing a complaint with the Arkansas Fair Housing Commission, the U.S. Department of Housing and Urban Development (HUD), or other administrative or judicial bodies.

*The work that provided the basis for this publication was supported by funding under a grant from the U.S. Department of Housing and Urban Development. The substance and findings of the work are dedicated to the public. The author and publisher are solely responsible for the accuracy of the statements and interpretations contained in this publication. Such interpretations do not necessarily reflect the views of the Federal Government.*

 **Legal Aid of Arkansas**  
1200 Henryetta Street, Springdale, AR 72762

 **870.338.9834**  **arlegalaid.org**

# A Fair Housing Guide

Legal Aid of Arkansas  
Fair Housing Project



**Fair Housing Project**  
Legal Aid of Arkansas



# What is Fair Housing?

Fair housing is the right of all people to buy, sell, or rent residential property, and to live where they wish free from discrimination.

The Fair Housing Act ensures equal access to rental housing and homeownership opportunities by prohibiting the denial of housing because of:

- Race: a person's race or the race of persons with whom one associates
- Color: a person's skin color
- National origin: the country of one's birth or the nationality of one's ancestors
- Religion: a person's religious beliefs or denomination
- Sex: a person's biological characteristics.
- Familial status: refers to families in which one or more children under 18 years old live with a parent, a person with legal custody, or a designee from the parent or legal custodian. Also applies to pregnant women and persons in the process of securing legal custody of a child or children under 18 years old
- Disability: a physical or mental disability that substantially limits one or more major life activities, a record of having such a disability, or being regarded as having such impairment. This includes people with HIV or AIDS, any visitors or family members who have HIV or AIDS, and people who are erroneously thought to have HIV or AIDS.

# Exemptions

The Fair Housing Act covers most housing. However, limited exemptions are allowed in the following situations:

- Rental of some owner-occupied buildings or rental of one room in a private home.
- The sale or rental of an owner-occupied home is exempt if the sale or rental takes place without a real estate agent or advertising.
- A religious organization may exercise a preference to rent to one of its members.
- It is allowable to refuse to rent on the basis of sex if the property is a single sex dormitory.
- A landlord may refuse to rent on the basis of familial status if the property is specifically designated as housing for seniors.

## What is Prohibited?

Refusal to permit a reasonable modification to the unit at the expense of the person with a disability, so that the person may have full enjoyment of the unit.

- Example: A housing provider states, "You may not install grab bars in the bathroom."

Denial of a reasonable accommodation to the rules and regulations of rental in order to ensure that a person with a disability may have equal opportunity to use and fully enjoy their unit.

- Example: A housing provider states, "It's against the rules to have another person with you, even though there is enough room and the person is necessary to help you with your health needs."

# Definitions

False denial of availability: advising someone that there are no available units when, in fact, there are.

- Example: A housing provider states, "Sorry, we just rented the last unit."

Refusal to deal: refusing to rent, sell, or negotiate with a person.

- Example: A housing provider states, "We don't rent to Jews," or "We don't sell to families with children."

Discriminatory terms, conditions and provision of services or facilities—giving less favorable terms in sales or rental agreements.

- Example: A housing provider states, "The rent is \$150 higher for tenants with service animals."

Discriminatory advertising: indicating any preference, limitation or discrimination. This prohibition against discriminatory advertising applies to single-family and owner-occupied housing that is otherwise exempt from the Fair Housing Act.

- Example: A housing ad states, "No Indians need apply."

Blockbusting: for profit, to artificially change the demographic composition of a neighborhood through manipulation.

- Example: A housing provider makes house-by-house telephone calls urging members of a neighborhood that they should sell before their property values decrease.