

What type of housing discrimination is illegal when it comes to property rentals?

The federal Fair Housing Act and the Fair Housing Amendment Acts (42 U.S. Code 3601-3619, 3631) and many state and local laws, prohibit a landlord from selecting tenants based on certain criteria. A landlord may not refuse to rent to a tenant for the following reasons:

- Race or color
- National origin
- Religion
- Disability or handicap, including physical and mental impairment
- Sex, including sexual harassment
- Familial status (includes protection for people with children under age 18 or pregnant women)

In addition, state and local housing discrimination laws may offer coverage beyond federal law, such as protection for sexual orientation, age, and marital status.

What kind of housing discrimination do the federal Fair Housing Acts prohibit?

A landlord must treat every tenant equally. Illegal discrimination occurs when the landlord:

- Refuses to rent to members of a certain race
- Denies the availability of a available rental dwelling or steers renters to a certain area based on race
- Creates unreasonable restrictions on the number of people that may live in the rental unit
- Includes preferences or limitations in a rental advertisement
- Creates different terms or standards for certain tenants
- Terminates a tenancy based on a discriminatory reason
- Provides services or facilities only for certain tenants
- Demands sexual favors or creates a sexually hostile environment
- Refuses to make reasonable accommodations for a disabled tenant
- Fails to stop another tenant from making discriminatory, harassing, or threatening comments to a person in a protected category

The Fair Housing Acts apply to any person that deals with tenants and prospective tenants, including real estate agents, property owners, landlords, and managers. Even if the property owner did not personally discriminate against tenants or prospective tenants, the landlord may still be liable for the civil rights violations of employees.