



# Fair Housing Protections for Families with Children: UNDERSTANDING RIGHTS AND OBLIGATIONS



## The **Fair Housing Act** protects families with children! Read more about who is protected below.

### What is the Fair Housing Act?

It is a federal law that prohibits housing discrimination because of 7 protected classes:

- Race
- Color
- National Origin
- Religion
- Sex (including gender identity and sexual orientation)
- Familial Status
- Disability

### What is Prohibited?

Under the Fair Housing Act, housing providers may not discriminate because of familial status. Illegal discrimination can include eviction; a refusal to sell or rent; or policies, practices, and financing that limit housing opportunity for families.

### Who is Protected?

The Familial Status Provisions prohibit housing discrimination against:

- Families with children under 18
- Pregnant persons
- Persons in the process of obtaining legal custody of minor children
- Persons with written permission to live with a minor child

### Examples of Familial Status Discrimination

- Refusal to sell or rent to families with children
- Eviction because a child joins the family through birth, adoption, or custody
- Limiting families with children living on specific floors or buildings
- Overly restrictive rules regarding children's use of common areas
- Advertising dissuading families with children



## Have You Heard Statements Like These Before?

Each child must have their own bedroom.

This complex isn't suitable for kids; there's no playground or open space for them to play.

This is an adult community suited for working professionals.

Our kids building (or family section) is full.

We take younger children, but teenagers will disturb other tenants.



## Know Your Rights!

It's illegal to limit families to certain parts of a property, such as the first floor or a separate building.

Landlords can't turn away families or require them to rent an apartment that's larger than they can afford simply because they're expecting a child.

## The 'Housing for Older Persons' Exemption

Certain housing facilities or communities can lawfully refuse to sell or rent dwellings to families with minor children only if they qualify for the exemption. To qualify, a building must:

- Have all residents be 62 or over in 100% of units
- Have at least one person 55 or over in 80% of units and comply with HUD's regulatory and policy requirements for age verification of residents
- Participate in a federal, state, or local senior housing program that HUD has deemed exempt



## How to File a Complaint

If you believe you are experiencing discrimination due to your familial status, you can file a complaint with HUD.

Call: 1-800-669-9777

Visit: [https://www.hud.gov/program\\_offices/fair\\_housing\\_equal\\_opp/online-complaint](https://www.hud.gov/program_offices/fair_housing_equal_opp/online-complaint)



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