Bibian Cristino

Capacity Building Specialist
Housing Action Illinois
bibian@housingactionil.org
Housing Action Illinois
Leading the movement to expand affordable housing & end homelessness in Illinois for 30+ years
We bring together 160+ member organizations that believe in **an Illinois where everyone has a stable, affordable place to call home**
Public Policy Advocacy

We mobilize members & allies to **advocate for investments & policies** to:

- Help end homelessness
- Create affordable rental housing
- Promote sustainable homeownership

Capacity Building

By providing **training, consulting, & resources**, we help housing organizations better serve our communities

- HUD Housing Counseling Intermediary
- AmeriCorps VISTA Network

Education & Organizing

We **build awareness & activate change** by sharing information & stories with policymakers, nonprofits, & media

- Annual conference
- Working groups & publications
Leading the way to a secure energy future.
MELISSA CALLOWAY
Ameren Illinois Contractor –
CMC Energy Services
Multifamily Outreach Coordinator
mcalloway@cmcenergy.com
1.217.801.8889
Patricia Fron

Co–Executive Director
Chicago Area
Fair Housing Alliance
pfron@cafha.net
Community Education & Outreach
HOPE Fair Housing Center
rachel.watson@hopefair.org
Presented By:
Chicago Area Fair Housing Alliance
HOPE Fair Housing Center

Fair Housing Laws
CHICAGO AREA FAIR HOUSING ALLIANCE

Mission: to combat housing discrimination and promote equitable place-based opportunity through education, advocacy, and collaborative action.
HOPE Fair Housing Center
Wheaton, IL
Founded in 1968
The contents of this workshop are NOT legal advice.
Agenda

- Fair Housing: Background
- What is Fair Housing
- Rights & Responsibilities
- Discussion
Government Sponsored Segregation

• Patterns of segregation did not occur organically.

• Public and private mechanisms intended to restrict housing choice for minority households.

“Denial of access to housing is the single most powerful tool to undermine and marginalize the upward mobility of people”
(Carr & Kutty, 2008).

Photo source: http://www.theseamericans.com/category/civil-rights/
The Fair Housing Act
What is Fair Housing?

• a person's right to choose where to live, and enjoy their home free from discrimination
• Everyone should have equal access to housing
• Removes barriers that restrict access to opportunity
• Federal, state, county, and city laws protect a person’s right to rent a home.
What Is A Fair Housing Violation?

A Fair Housing violation occurs when a prohibited act is made against you because you belong to a protected class. Remember this simple equation:

Protected Class + Prohibited Act = Violation
Protected Classes

The law says certain characteristics cannot be factored into a housing decision, and that a landlord, agent, or property manager, etc. cannot discriminate against you because of one of those characteristics, such as your race.

A “protected class” is a group of people who share those characteristics protected by law from discrimination.

Protected Class + Prohibited Act = Violation
Protected Classes

Federal Fair Housing Act – Protected Classes

• Race
• Color
• Religion
• Gender (incl. sexual harassment)
• National Origin (the country you or your ancestors came from)
• Disability
• Familial Status (children in household)
Are you in a protected class?

Yes.

We all are in multiple protected classes.

We all have fair housing rights.
Prohibited Acts

Prohibited acts include any action, policy, or advertisement which discourages or prevents you from accessing an available unit or enjoying the unit you occupy because you belong to a "protected class."

Protected Class + Prohibited Act = Violation
Prohibited Acts Examples:

• Refusing to rent
• Lying about the availability of a unit
• Steering towards particular units, buildings, or communities
• Failure to make a Reasonable Accommodation/Modification

Protected Class + Prohibited Act = Violation
Prohibited Acts Examples Cont’d:

• Interfering with the ability to enjoy or feel safe in a unit
• Making or publishing discriminatory statements
• Aiding and abetting
• Sexual Harassment
• Treating people differently by giving different lease terms, privileges, or services
• Retaliating against or intimidating a person for reporting discrimination

Protected Class + Prohibited Act = Violation
Test our knowledge:

A couple and their two children view a 2 bedroom apartment on the 2nd floor of a large apartment building. The couple asks the landlord if the unit they were viewing was available. The landlord says, “no, not this unit. Children are only allowed in 1st floor units. I’m sorry, but we don’t have any 1st floor units available right now.”

Is this a fair housing violation?
This is illegal
A couple and their two children view a 2 bedroom apartment on the 2nd floor of a large apartment building. The couple asks the landlord if the unit they were viewing was available. The landlord says, “no, not this unit. Children are only allowed in 1st floor units. I’m sorry, but we don’t have any 1st floor units available right now.”

**Protected Class** = Familial Status: “A couple and their two children”

**Prohibited Act #1** = Steering: “Children are only allowed in 1st floor units”

**Prohibited Act #2** = Denial: “We don’t have any 1st floor units available right now”
[and your family is only allowed to rent a 1st floor unit]
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Protected Class + Prohibited Act = Violation
Sexual harassment violates the Fair Housing Act

It is illegal for a landlord, property manager, agent, or other housing provider to . . .

- Ask you to do anything sexual instead of paying rent, fees, or other costs associated with your housing
- Refuse to help if you report sexual harassment
- Threaten you for reporting sexual harassment. For example—saying they will evict or call immigration if you report sexual harassment
- Demand sexual acts in return for repairs or maintenance
- Make sexual comments or touch you

It is also illegal for other tenants in the building to sexually harass you.
People with Disabilities

Reasonable Accommodation: A change to rules, policies, practices, or services.

Reasonable Modification: Physical change to a unit or common area that will make a space safe and accessible to a person with a disability. Often you are required to pay for the modification, not the landlord. And the landlord can require certain specifications, including requiring a licensed contractor for installation.
You have a “disability” if:

- You have a physical or mental impairment
- OR a record of such impairment
- AND this impairment substantially limits one or more major life activity.

Fair housing laws require landlords, property managers, agents, and other housing providers, including housing authorities to make or allow changes that accommodate a disability.
How do Reasonable Accommodations & Reasonable Modifications Work?

• You must request one from your housing provider or housing authority.

• If working with a housing authority, ask your case specialist for more information. They will give you a form to complete.

• You may be required to provide documentation from a third-party that verifies the need for the requested modification or accommodation.

• Third-party verification should not be necessary if your disability and the benefit of the request is obvious (e.g. you use a wheelchair and request a reserved parking space).
## People with Disabilities

Landlords must make changes or let you make changes that are reasonable to support you and accommodate your disability.

<table>
<thead>
<tr>
<th>Change</th>
<th>Examples</th>
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</thead>
<tbody>
<tr>
<td>A landlord might have to change their rules.</td>
<td>Allow a service or support animal even if pets are not usually allowed</td>
</tr>
<tr>
<td>A housing authority might have to change their rules.</td>
<td>Allow a reserved parking space for someone with a disability</td>
</tr>
<tr>
<td>A landlord might have to allow changes to your apartment.</td>
<td>Allow for an increased or &quot;exception payment standard&quot; to afford a unit that is wheelchair accessible.</td>
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<td></td>
<td>Allow for an extra bedroom for a live-in aid.</td>
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<td>Allow you to install a ramp, grab bars, or a lift.</td>
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Who enforces Source of income protections?

• Fair Housing laws are enforced by public interest organizations, private attorneys, and government institutions.
Fair Housing: Emerging Issues & Advocacy

• HUD revokes the 2015 rule on Affirmatively Furthering Fair Housing

• COVID-19 pandemic and urgent housing impacts

• Local advocacy and strengthening fair housing protections for those you serve
I SUPPORT THE JUST HOUSING INITIATIVE
IMPACT IN COOK COUNTY

10,600+
Average number of people who returned to zip codes in Cook County each year from Illinois' prisons.\(^5\)

34,000+
Number of men and women with children who returned to zip codes in Cook County from Illinois' prisons over a 5-year period.\(^6\)

78%+
Average percentage of women returning to zip codes in Cook County who reported having children.\(^7\)
Just Housing Amendment PASSED!
I AM NOT
MY RECORD
Q & A

(This is not legal advice.)