
FAIR HOUSING LAWS AND DISCRIMINATION

There are laws that make sure people with disabilities are treated fairly in the places they live or want to live. These laws are called **fair housing laws**.

Fair housing laws say that people with disabilities have to be treated fairly when they buy a place to live. They have to be treated fairly when they rent a home, too.

DO FAIR HOUSING LAWS HELP ME?

Yes, if you have a physical or mental disability that makes it hard for you to do a major life activity.

Major life activities include things like:

- Seeing, hearing, or speaking
- Walking, standing, or lifting
- Eating, sleeping, or breathing
- Caring for yourself
- Doing household chores
- Learning, reading, or thinking
- Going to the bathroom

Fair housing laws also protect you if:

- You had a disability in the past.
- The landlords or owner treats you like you have a disability.
- You are getting help for drug use or are in recovery. Fair Housing laws do NOT protect you while you are still using illegal drugs.

Who Needs to Follow Fair Housing Laws?

- Property owner
- Landlord
- Property manager
- Real estate agent
- Banks and other people who lend money
- Public Housing Authority

Who Does NOT Need to Follow Fair Housing Laws?

- Private clubs
- Religious groups

HOW DO FAIR HOUSING LAWS PROTECT ME?

Fair housing laws give you many rights and protections.

1. An owner, landlord, or real estate agent CANNOT do certain things.

- They can't ask if you have a disability.
- They can't ask if someone living with you has a disability.
- They can't write an ad saying they won't rent or sell to a person with a disability.
- They can't refuse to sell or rent to you just because you have a disability.
- They can't use one agreement for you and a different agreement for someone who doesn't have a disability.
- They can't make you get rid of your service animal just because they have a "no pets" rule. That is also true if you have an emotional support animal.

Disability-Only Housing

You might want to live in a place that is only for people with disabilities. In that case, the landlord can ask for proof that you have a disability. Ask your doctor to write a letter about your disability.

2. An owner, landlord, or real estate agent CAN sometimes refuse to rent or sell to you.

- You cause damage to someone's property.
- You are a "direct threat" to someone else's health or safety. That means you are a danger to someone. They can't say you are a danger just because you have a disability. They need to prove that it would not be safe for you to live in a certain place.

The owner or landlord should tell you why they won't sell or rent to you. If you think it is because of your disability, call DRRI. We can tell you about your rights.

3. You might need to borrow money to buy, fix, or build a home. The person or bank you ask for money CANNOT do some things.

- They can't ask if you have a disability.
- They can't ask if someone living with you has a disability.
- They can't use one loan agreement for you and a different agreement for someone who doesn't have a disability.

4. An owner or landlord MUST do certain things once they rent or sell to you.

- They must let you make a "reasonable modification" to your housing. That means you need to change something so you can use your housing. The change must be because of your disability. You must be able to undo the change if you leave. A grab bar in the bathroom can

be a “reasonable modification.” A temporary ramp at your front door is another example.

- They must make a “reasonable accommodation.” That is a change to a rule or service that you need so you can use your housing. The change must be because of your disability.
 - For example, you might rent an apartment in a building with a “no pets” rule. Letting you keep your service animal is a “reasonable accommodation” to that rule.
 - The landlord must give you a “reasonable accommodation” to their pet fee rules. If the landlord can charge extra rent for pets. Your service dog or emotional support animal is not a pet. They cannot charge you extra rent for the animal.
 - If your animal damages the property, you have to pay for that. It is not a “reasonable accommodation” to make the landlord fix things for free.

WHERE CAN I GET HELP?

If someone breaks a fair housing law, that can be a kind of discrimination. You can complain about discrimination and your housing.

- **The Rhode Island Commission for Human Rights**

- The Commission can investigate your complaint. They might be able to help solve your problem. They can make someone follow fair housing laws.
- You can call the Commission at (401) 222-2661. Or email the Commission at RICHR.Housing@richr.ri.gov.
- You can make your complaint on the Commission’s website: www.richr.ri.gov.

- **The U.S. Department of Housing and Urban Development (HUD)**

- HUD can also investigate your complaint. In most cases, HUD will give your complaint to the RI Commission for Human Rights, and the Commission will investigate.
- You can call HUD’s **Housing Discrimination Hotline** to get information about your housing rights. You can call the Hotline to make a complaint, too. The Hotline number is (800) 669-9777.
- You can make your complain on HUD’s website: www.hud.gov.

Retaliation

Retaliation happens when a person punishes you for standing up for your rights. You have the right to file a complaint with HUD or the RI Commission for Human Rights. A landlord or owner cannot punish you for filing a complaint!

If you think someone is punishing you for filing a complaint, call the place that you filed your complaint. Tell them there is retaliation. They can investigate that, too.

You should make your complaint as soon as possible. There are time limits to file a complaint. Usually, you must make a complaint within 1 year (365 days) of the discrimination.

If you want to file a lawsuit, you have to make a complaint to the RI Commission for Human Rights or HUD first. If they can't help you, they will give you a "right to sue" letter. That letter means you can file a lawsuit. There are time limits to file a lawsuit. Call a lawyer as soon as you have a "right to sue" letter.

Disability Rights Rhode Island (DRRI) can explain your fair housing rights. We might be able to help you make a complaint.

- You can contact DRRI at (401) 831-3150. Or email us at info@drri.org.
- You can ask for help on our website: www.drri.org.