

Fair Housing Basics for Landlords

The Fair Housing Act (FHA) is a federal law that prohibits discrimination in housing-related activities. Landlords must understand and comply with these rules to avoid legal penalties and ensure fair treatment of all applicants and tenants.

1. Protected Classes Under the Federal Fair Housing Act

It is illegal to discriminate against any person based on:

- Race
- Color
- National origin
- Religion
- Sex (including gender identity and sexual orientation)
- Familial status (presence of children under 18, pregnancy)
- Disability (physical or mental impairments)

2. Examples of Prohibited Practices

Landlords may not:

- Refuse to rent, sell, or negotiate housing.
- Set different terms, conditions, or privileges for different tenants.
- Provide different housing services or facilities.
- Falsely deny that housing is available.
- Advertise in a way that shows a preference or limitation for a protected class.
- Harass or intimidate tenants based on a protected characteristic.

3. Reasonable Accommodations & Modifications

For tenants with disabilities:

- Landlords must allow reasonable accommodations to rules, policies, or services when necessary for equal use of the property.
- Tenants may request reasonable modifications to their unit (at their own expense unless funding is available).

Examples: allowing a service animal despite a “no pets” policy, installing grab bars in a bathroom.

4. Additional State & Local Laws

Many states and municipalities have additional protected classes (e.g., source of income, age, marital status, military status). Landlords must research and comply with these local requirements.

5. Best Practices for Landlords

- Use consistent, written rental criteria for all applicants.
- Train all staff or property managers on fair housing laws.
- Keep detailed records of applications, communications, and decisions.
- Review advertisements to ensure they are free from discriminatory language.
- Respond promptly to accommodation requests and document all interactions.

6. Enforcement & Penalties

The U.S. Department of Housing and Urban Development (HUD) investigates fair housing complaints. Violations can lead to fines, damages, attorney fees, and court orders. State or local agencies may also enforce similar laws.

Disclaimer

This guide is for informational purposes only and is not legal advice. For questions about fair housing compliance, contact HUD, your state housing authority, or a qualified attorney.