

## THE FEDERAL FAIR HOUSING ACT

prohibits discrimination in housing based on these seven protected classes:

Race	Disability
Color	Family Status (households with children under 18 & women who are pregnant)
National Origin	
Religion	
Sex	

Federal law defines disability as *a physical or mental impairment which substantially limits one or more major life activities.*

Any individual who currently has, has a history of, or is regarded as having such an impairment is covered under Federal laws.

Such impairments include:

- ◆ Physical or mental impairments
- ◆ Emotional disorders
- ◆ Serious impairments in eyesight, hearing or speech
- ◆ Specific diseases, such as AIDS
- ◆ Alcoholism and drug addiction (but not those currently using illegal drugs).

Additional protected classes in Illinois include ancestry, sexual orientation, gender identity, age (for those over 40), marital status, military status, unfavorable military discharge, and order of protection status.

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Founded in 1968, HOPE serves Chicago's Northwestern & Western Suburbs, as well as twenty-eight other counties in Northern & North Central Illinois.

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# HOPE

Fair Housing Center  
*Opening America's Closed Doors*



## Fair Housing and People with Disabilities

Federal and local laws protect people with disabilities from discrimination in housing. These laws also provide methods of increasing accessibility so that all people have equal opportunity to housing.

## THE FAIR HOUSING ACT HAS SPECIAL PROTECTIONS FOR INDIVIDUALS WITH DISABILITIES:

**Reasonable Accommodations** are changes in rules, policies, practices, or services that allow a person with a disability to use and enjoy the housing. Such accommodations must be made, unless the landlord or housing provider can show a legitimate business reason for denial.

- ◆ Individuals requiring service animals are allowed to rent in buildings with “No Pets” policies.
- ◆ Landlords may not restrict the use of building amenities, such as a pool, that is available to other tenants.

**Reasonable Modifications** require landlords or housing providers to allow reasonable modifications to the structure of the existing premises at the tenant’s expense, unless the unit is HUD-subsidized.

- ◆ Modifications must remain reasonable. While building a ramp is reasonable, installing an elevator is not.
- ◆ Modification requests cannot be denied on the basis of aesthetic.



**No Illegal Inquiries:** the housing provider may ask for verification of a person’s disability and that a request is related to that disability; however, the housing provider may not ask the person with a disability or a certifying professional about the nature or severity of the individual’s disability.

- ◆ A housing provider or landlord cannot ask if an individual is capable of independent living.
- ◆ An individual with a disability does not have to provide any more information than any other potential tenant, including medical records.

**New Construction** of multifamily housing built after March 13, 1991 must be designed and constructed so that it is accessible or adaptable for those with disabilities.

All people are protected against discrimination based on the protected classes in regards to selling, renting, zoning, buying, financing, and insurance.

## How HOPE Can Help

If you think you may be a victim of housing discrimination,

1. **Contact** HOPE Fair Housing Center.
2. **Document** meetings and phone calls with landlords, property managers, real estate agents, loan officers, and insurance agents.
3. **Save** all receipts, copies of applications, business cards, and other documents.

All of HOPE’s services are *free*.

*When appropriate HOPE can:*

- ◆ Investigate potential discrimination
- ◆ Advocate on your behalf with a housing provider
- ◆ Assist in filing a Dept. of Housing & Urban Development (HUD) complaint
- ◆ Help conciliate your case with the offending party
- ◆ Refer your case to attorneys that are experts in fair housing litigation

Legitimate reasons for someone not to rent or sell a dwelling include insufficient income, poor credit history, and criminal history. Whatever policies are in place must be applied to all applicants.