



DENVER METRO FAIR HOUSING CENTER  
3280 DOWNING ST. SUITE B, DENVER, CO 80205  
720-279-4291 - [WWW.DMFHC.ORG](http://WWW.DMFHC.ORG)

# FAIR HOUSING IS YOUR RIGHT: USE IT!

Denver Metro Fair Housing Center wishes to remind everyone of their fair housing protections put in place to ensure a housing market free of discrimination and that promotes diversity and housing choice. If you are unfamiliar with our organization, DMFHC is a private non-profit fair housing enforcement agency. We provide outreach, advocacy, and enforcement of the Fair Housing Act within the Denver Metro area as well as across the state of Colorado.

Under the federal Fair Housing Act it is illegal to discriminate on the basis of race, color, religion, national origin, sex, disability, or familial status in rental housing, real estate sales, lending, insurance, and any financial or other services related to housing.

Remember, if you or someone you know has questions about fair housing or feels they have been discriminated against, Contact our office for assistance!



**WANT TO STAY IN THE LOOP? SIGN UP FOR OUR NEWSLETTER  
AT [WWW.DMFHC.ORG/NEWS](http://WWW.DMFHC.ORG/NEWS)  
TO RECEIVE NOTICES ABOUT HELPFUL INFO & WORKSHOPS!**

**THIS PACKET INCLUDES PRINTABLE & SHARABLE MATERIALS:**

- DMFHC, Agency Brochure, pg 2-5
- Housing Provider's Guide, pg 6-9
- Your Fair Housing Rights (Eng & Span), pg 10-13
- Fair Housing Guidance for Condos, Co-ops, and HOAs (Eng & Span), pg 14-17
- Fair Housing for Persons with Disabilities (Eng & Span), pg 18-21
- Sexual Harassment Informative Flyers (3 versions) (Eng, Span, & Viet), pg 22-30
- How to get involved with our mission!, pg 31

**INTERESTED IN ADDITIONAL MATERIALS FOR YOUR STAFF OR CLIENTS?  
CONTACT US AT [INFO@DMFHC.ORG](mailto:INFO@DMFHC.ORG) TO INQUIRE!**



# DENVER METRO FAIR HOUSING CENTER



**Fair Housing Is Your Right. Use It!**



## DENVER METRO FAIR HOUSING CENTER

The Denver Metro Fair Housing Center (DMFHC) is a private non-profit organization established in 2012 with the support of the National Fair Housing Alliance (NFHA) and grant funding provided by the U.S. Department of Housing and Urban Development (HUD). DMFHC is active in six Denver Metro counties: Adams, Arapahoe, Broomfield, Denver, Douglas, and Jefferson.

### Our Mission

DMFHC is dedicated to eliminating housing discrimination and promoting housing choice for all people through education, advocacy, and enforcement of fair housing laws.



## Our Services

### EDUCATION/OUTREACH

- **Training Seminars** – Our expertise in the complexity of fair housing laws and practices makes the DMFHC a respected source of fair housing training. We provide training seminars to home seekers and housing providers to teach home seekers their rights under fair housing laws, and help housing providers understand and meet their responsibility under fair housing laws.
- **Community Outreach** – Multiple fair housing events and communication methods are used to ensure that members of the housing industry, general public, home seekers, and stakeholders have access to relevant and emerging fair housing issues and trends.

### PUBLIC POLICY ADVOCACY

- The DMFHC assists the community as a whole to see the value of neighborhood integration.
- The DMFHC promotes tools to prevent and respond to discrimination, and guides local advocates in activities designed to provide equal access to housing opportunities and to make all of our communities welcoming places to live.
- The DMFHC collaborates with other housing, legal, civil rights, and community organizations to effectively advocate for fair housing. We advocate for strong local, state, and federal housing laws and policies, and work to ensure their effective implementation.

### ENFORCEMENT

- **Case Advocacy** – The DMFHC receives inquiries from people who do not have the knowledge and/or means to advocate for themselves. DMFHC will investigate claims of discrimination, conduct testing for proof of discrimination, represent complainants throughout HUD's and/or the Colorado Civil Rights Division's administrative complaint process, and refer legal counsel if litigation is required.
- **Research** – To inform our advocacy, the DMFHC researches and documents the nature and extent of housing discrimination, including the fair housing impacts of public policies in our community.
- **Testing** – The DMFHC is the region's sole source of housing discrimination testing. Testing provides a credible picture of how and if discrimination occurs using a controlled method of documenting variations in the treatment of home seekers by housing providers.

## Fair Housing Act

DMFHC provides education and enforcement of the Fair Housing Act, Title VIII of the Civil Rights Act. The Fair Housing Act protects individuals who have been discriminated against while seeking housing on the basis of:

- Race
- National Origin
- Color
- Religion
- Sex
- Familial Status
- Disability

The Fair Housing Act is intended to provide protection from adverse and differential treatment for those seeking to rent or buy a home, secure a mortgage loan or mortgage insurance, or purchase homeowners or renters insurance. The law details a number of actions and practices that are illegal when based on the above protected characteristics, such as:

- Refusing to sell or rent a dwelling
- Discriminating in terms, conditions or privileges of sale or rental
- Advertising in a way that indicates any limitation or preference that excludes persons because of a protected characteristic
- Misrepresenting the availability of housing
- Steering or directing prospective renters or buyers to certain neighborhoods
- Refusing to make reasonable accommodations or modifications for people with disabilities
- Threatening or interfering with any person in the exercise or enjoyment of a fair housing right
- Threatening or interfering with any person or organization assisting someone in the exercise or enjoyment of a fair housing right

The State of Colorado adopted its own fair housing law in 1959, and was one of the first states in the nation to pass laws prohibiting discrimination on the basis of:

- Sexual Orientation
- Creed
- Ancestry
- Marital Status

## History of the Fair Housing Act

The freedom to choose where we want to live is an American right many take for granted today. Yet it was not long ago that this freedom was not guaranteed for many Americans. On April 11, 1968, President Lyndon Johnson signed the Fair Housing Act of 1968, prohibiting discrimination in the sale, rental, and financing of housing based on race, religion, sex, national origin, and color. In 1988, the Act was amended to include familial status and disability as protected classes. Prior to 1968, housing discrimination was common practice for many housing providers, financial institutions, and even in legislated housing policies.

The enactment of the federal Fair Housing Act came at the height of the Civil Rights Movement, a week after the assassination of Reverend Dr. Martin Luther King, Jr. on April 4, 1968. President Lyndon Johnson was able to use this tragedy as motivation to move the legislation quickly through the House and Congress. Since then, the Fair Housing Act has often been seen as a memorial to Dr. Martin Luther King Jr.'s life's work in civil rights.



## Discrimination Is Not Always Obvious

Despite the time that has passed since the passage of the Fair Housing Act, housing discrimination continues to plague our country. If you have heard any of these statements when seeking housing, you may have been a victim of housing discrimination:

- “We put families in the ground floor units near the playground.”
- “You don’t seem like you would fit in here.”
- “We don’t let persons with disabilities live upstairs for safety reasons.”
- “Children aren’t allowed in the swimming pool.”
- “I think you would be more comfortable in our property across town.”

## What to Do if You Feel You Have Been the Victim of Housing Discrimination

If you feel you have been subjected to housing discrimination, it is important to act quickly. DMFHC is here to help every step of the way.

### Keep Detailed Records

Write down detailed records of all communications and interactions that happen between you and anybody involved in the situation including your housing provider, health care provider, social worker, staff, etc. The more detail the better.

- Keep a journal of verbal communications noting the *names and contact information* of everyone who participated in and/or witnessed the conversation.
  - Keep detailed notes about specific information witnesses can provide.
  - Write a personal statement explaining what happened. Identify who, what, when, where, why and how.
  - Keep all evidence directly related to the housing action including receipts for expenses incurred because of the alleged discrimination.
- Make sure all communications include the *date and time* as well as whether the communication occurred *in person, over the phone, or through email*.
  - Save all email communications, letters, notices, advertisements, etc

### Contact DMFHC

Contact DMFHC to investigate the alleged housing discrimination and to learn about fair housing rights, responsibilities and remedies. DMFHC can help determine your options to pursue your claim, resolve the alleged housing discrimination and protect your fair housing rights.

### File a Housing Discrimination Complaint

If you feel you have been the victim of housing discrimination, you have the right to file a housing discrimination complaint with:

- U.S. Department of Housing and Urban Development (HUD)
- Colorado Civil Rights Division (CCRD)
- Federal Court

### Potential Outcomes of Filing a Complaint

Conditions of a settlement may include:

- Financial compensation to the victim of discrimination.
- Fair housing training for the organization charged with discrimination and its staff.
- Compliance to oversight mechanism enforced by HUD or CCRD.

## **Helpful Information to Consider When Filing a Complaint**

### **Things to Consider When Filing a Complaint with HUD or CCRD**

- There is no cost for filing a fair housing complaint.
- The complaint process varies at each agency.
- You have one year from the date the alleged discrimination has occurred to file a complaint.
- You must be alleging a violation of the federal Fair Housing Act when filing a complaint at HUD.

### **Things to Consider When Filing a Complaint in Federal Court**

- You have two years from the date the alleged discrimination has occurred to file a complaint.
- You must be alleging a violation of federal law.
- You may want to consider contacting an attorney or other advocate for legal representation.

### **Other Helpful Tips**

- Stay engaged in every step of the process. Ask questions as they arise and take notes to stay informed and help track the process.
- Pay close attention to who each communication is addressed. Both the complainant and respondent will receive a copy of the letters sent to the opposing party.
- During the investigation, you may have the opportunity to provide additional evidence by writing or stating a rebuttal regarding the housing provider's position on the allegations.
- In the HUD or CCRD process, each party has the right to settle the case at any point should both parties agree to the terms of settlement.

### **Helpful Definitions**

- **Cause determination** - issued by HUD or CCRD when the investigation creates reasonable cause to believe that discrimination occurred or is about to occur. The case can proceed to court.
- **No cause determination** - issued by HUD or CCRD when the investigation shows no reasonable cause to believe discrimination has or is about to occur. The case is dismissed by the investigating agency.
- **Complainant** - an individual or group that files a fair housing complaint alleging discrimination occurred.
- **Respondent** - the individual or group accused of discrimination and whom charges are being filed against.
- **Aggrieved persons** - individuals who may be victims of discrimination but are not necessarily listed as a complainant.



## **DENVER METRO FAIR HOUSING CENTER**

### **Denver Metro Fair Housing Center**

3280 Downing Street  
Suite B  
Denver, CO 80205  
Phone: 720-279-4291  
Fax: 720-328-4757  
[info@dmfhc.org](mailto:info@dmfhc.org)  
[www.dmfhc.org](http://www.dmfhc.org)

Other fair housing resources in our area:

**Colorado Civil Rights Division**  
Department of Regulatory Agencies  
1560 Broadway, Suite 1050  
Denver, CO 80202  
303-894-2997 or  
800-262-4845 Toll-Free  
TTY: 711-894-2997

**HUD Regional Office**  
1670 Broadway  
25th Floor  
Denver, CO 80202-4801  
303-672-5437 or  
800-877-7353 Toll-Free  
TTY: 303-672-5248

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The work that provided the basis for this publication was supported by funding under a grant with the U.S. Department of Housing and Urban Development. The substance and findings of the work are dedicated to the public. The author and publisher are solely responsible for the accuracy of the statements and interpretations contained in this publication. Such interpretations do not necessarily reflect the views of the Federal Government.



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### Denver Metro Fair Housing Center

3280 Downing Street

Suite B

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Other fair housing resources in our area:

#### Colorado Civil Rights Division

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# DENVER METRO FAIR HOUSING CENTER



## Housing Provider's Guide to Fair Housing



## What is Fair Housing?

It is the policy of the United States to provide, within constitutional limitations, for fair housing throughout the United States. City, state, and federal fair housing laws require that all people have an equal opportunity to buy, rent, and live in housing of their choice.

The federal Fair Housing Act makes housing discrimination in the sale, financing, or rental of housing or housing-related services unlawful if based upon their race, color, national origin, religion, gender, familial status or disability. The following are examples of how a housing provider might discriminate:

- Refuse to sell or rent a dwelling
- Refuse to negotiate for housing
- Say housing is unavailable when it is, in fact, available
- Charge more for the same housing or service
- Set different terms, conditions or privileges for housing sales, rental, lending or insurance transactions
- Refuse to make reasonable accommodations or modifications to allow a disabled person to use a dwelling
- Advertise in a way that indicates any limitation or preference for one protected class over another
- Steer or direct prospective renters or buyers to certain neighborhoods
- Threaten or interfere with any person in the exercise or enjoyment of a fair housing right
- Fail to design or construct housing in an accessible manner



The Denver Metro Fair Housing Center (DMFHC) is a non-profit organization dedicated to eliminating housing discrimination through comprehensive education, advocacy, and enforcement of the Fair Housing Act.

## Protected Classes Under the Federal Fair Housing Act

**RACE:** Refers to a family, tribe or group of people coming from the same common ancestors.

**COLOR:** The color of an individual's skin.

**RELIGION:** All aspects of religious belief, observance, and practice. Also includes people that do not have religious beliefs.

**NATIONAL ORIGIN:** The country, or geographic region spanning multiple countries, in which a person was born or from which the person's ancestors came.

**GENDER:** Includes sex (male or female), gender identity, and gender expression. A lesbian, gay, bisexual or transgender (LGBT) person may be included if based on non-conformity with gender stereotypes.

**FAMILIAL STATUS:** Refers to a situation where there is one or more persons under age 18 who reside with a parent, legal guardian, etc. This also applies in the case of pregnancy or for people who are in the process of gaining legal custody of a person under age 18.

**DISABILITY:** Refers to physical and developmental disabilities as well as chronic illness and cognitive disease.

## Colorado state law also provides protections based upon:

**ANCESTRY:** Refers to a person's line of descent or lineage.

**CREED:** Any system of moral or ethical beliefs, principles, or opinions and the practices and observances associated with the exercise of those beliefs. Creed can include beliefs that fall both within or outside an organized religion and can also include negative assumptions associated with your clothing, books you carry, or symbols on your clothing or bags.

**MARITAL STATUS:** Being single, married, divorced or widowed.

**SEXUAL ORIENTATION:** Refers to heterosexual and LGBTQ communities and includes incorrect assumptions about a person's sexual orientation.

*It's important to note that discrimination based on these protected classes can take place even if the respondent/defendant is mistaken about the identity of the victim of discrimination.*



## Housing Providers Best Practices

### ADVERTISING & MARKETING

- Make the Equal Housing Opportunity logo visible on all print and online materials and in leasing offices and community spaces.
- Use written disclaimers
  - “Equal Housing Opportunity”
  - “We do business in accordance with fair housing law”
- Provide materials in alternative formats (large text, braille) and multiple languages.

### INQUIRIES

- Establish criteria that focuses on ability to pay rent, maintain the premises, and live in harmony with neighbors.
  - Ensure staff consistency in enforcement to determine qualified applicants.
    - Prescreen potential applicants **before taking an application fee.**
- Provide outline for the application and selection processes including the selection criteria – date and sign copy for client files to document giving client information.

### APPLICATION, SCREENING & SELECTION

- Give written notice of reason for denial and provide information on appeal process.
- Accommodate applicants with disabilities.
  - Disclaimer: “We provide reasonable accommodations to persons with disabilities upon request.”

### DURING RESIDENCY

- Enforce rules consistently.
  - Create protocols for rule violations or citation issuance to ensure consistent enforcement, documenting when and why citations are made.



### REVIEW OF POLICIES & PROCEDURES TO ALLEVIATE UNINTENDED CONSEQUENCES

- Rules about behavior often target families with children (familial status).
  - Rules should apply to **all** residents (noise, curfews, etc.)
    - Example of discriminatory rule:
      - “Children cannot play games or run in common areas.”
    - Example of non-discriminatory rule:
      - “Residents must refrain from creating disturbances in common areas.”
- Child safety rules have potential for unintended discriminatory effects based on familial status – the goal of the rule (safety) must be achieved in the least restrictive way.
  - Example of discriminatory rule:
    - “Children are not allowed to play in the parking lot.”
  - Example of non-discriminatory rule:
    - “Parking lot use is restricted to driving, parking or accessing vehicles to ensure safety of all tenants.”
- Occupancy limits should not be more restrictive than two persons per bedroom, but there are circumstances where more should be permitted.
  - Factors to consider
    - Size of bedrooms and overall square footage of unit
    - Age of occupants
    - Configuration of unit
    - State and local occupancy regulations

## Reasonable Accommodation Basics

**Q:** What is a “reasonable accommodation” under the Fair Housing Act?

**A:** A reasonable accommodation is a change, exception or adjustment to a rule, policy, practice or service that may be necessary for a person with a disability to have an equal opportunity to use and enjoy a dwelling, including public and common use spaces.

It is unlawful to refuse to make reasonable accommodations when such accommodations may be necessary to afford persons with disabilities an equal opportunity to use and enjoy a dwelling.

**Q:** Who qualifies as a person with a disability under the act?

**A:** The Act defines a person with a disability to include:

1. Individuals with a physical or mental impairment that substantially limits one or more major life activities.
  - a. Includes (but is not limited to) orthopedic conditions, visual, speech, and hearing impairments, cerebral palsy, autism, epilepsy, emotional illnesses, diabetes, heart diseases, etc.
2. Individuals who are regarded as having such an impairment.
3. Individuals with a record of such an impairment.

**Q:** May a housing provider charge an extra fee or require an additional deposit as condition of granting the reasonable accommodation?

**A:** NO.

**Example:** Housing provider MAY NOT charge a pet deposit/pet fee as a condition of allowing the tenant to keep a service animal.

*If animal causes damage to applicant's unit or common areas of dwelling, the housing provider may charge for the cost of repairs.*

**Q:** Who is responsible for the costs of a reasonable accommodation?

**A:** The housing provider is responsible for the costs associated with a reasonable accommodation unless it is an undue financial and administrative burden or it would fundamentally alter the nature of the provider's operations.



## Reasonable Modification Basics

**Q:** What is a “reasonable modification” under the Act and how does it differ from a “reasonable accommodation?”

**A:** A reasonable modification is a structural change made to the premises, whereas a reasonable accommodation is a change, adjustment or exception to a rule, policy or practice.

**Q:** Who is responsible for the costs of a reasonable modification?

**A:** The tenant or someone acting on the tenant's behalf is responsible for costs associated with a reasonable modification.

**Example:** Because of mobility disability, a tenant wants to install grab bars in the bathroom. This is a reasonable modification and must be permitted at the tenant's expense.

**Exception:** If the modification is made to a common area that is normally maintained by the housing provider, then the housing provider is responsible for the upkeep and maintenance of the modification.

**Example:** Because of a mobility disability, a tenant installs a ramp in the lobby of a multifamily building at her own expense. The ramp is used by other tenants and the public as well as the tenant with the disability. The housing provider is therefore responsible for maintaining the ramp.

For more Q&A on Reasonable Accommodations and Modifications, please see:

Joint Statement of the Department of Housing and Urban Development and the Department of Justice: Reasonable Accommodations Under the Fair Housing Act  
[https://www.hud.gov/sites/documents/DOC\\_7771.PDF](https://www.hud.gov/sites/documents/DOC_7771.PDF)

Joint Statement of the Department of Housing and Urban Development and the Department of Justice: Reasonable Modifications Under the Fair Housing Act  
[https://www.hud.gov/sites/documents/reasonable\\_modifications\\_mar08.pdf](https://www.hud.gov/sites/documents/reasonable_modifications_mar08.pdf)

### OTHER RESOURCES:

Equal Access Rule

<https://www.hudexchange.info/resource/1991/equal-access-to-housing-final-rule/>

Criminal Background Guidance

[https://portal.hud.gov/hudportal/documents/huddoc?id=hud\\_ogcguidappfhasandcr.pdf](https://portal.hud.gov/hudportal/documents/huddoc?id=hud_ogcguidappfhasandcr.pdf)

Nuisance Ordinance/Crime-Free Lease Addenda Guidance

<https://portal.hud.gov/hudportal/documents/huddoc?id=FinalNuisanceOrdGdnce.pdf>

Service Animals and Assistance Animals for People with Disabilities in Housing and HUD-Funded Programs

[https://www.hud.gov/sites/documents/SERVANIMALS\\_NTCFHEO2013-01.PDF](https://www.hud.gov/sites/documents/SERVANIMALS_NTCFHEO2013-01.PDF)

## WHAT ELSE IS COVERED UNDER THE FAIR HOUSING ACT?

### LENDERS, APPRAISERS AND INSURANCE COMPANIES MAY NOT DISCRIMINATE

Home mortgages and personal loans for housing-related purposes are covered. No one may do any of following because of race, color, religion, national origin, sex, disability or familial status of the applicant:

- Refuse to provide information regarding loans.
- Provide inaccurate or incomplete information.
- Refuse to make a loan to a qualified applicant.
- Impose different terms or conditions on a loan, such as different interest rates, points, or fees unrelated to credit history.
- Discriminate in appraising property.
- Refuse to issue a homeowner's or renter's insurance policy.

It is also a violation to fail to design and construct public and private multi-family housing with four or more units in an accessible manner. This applies to buildings designed and constructed for first occupancy after March 13, 1991.



For more information or to file a housing discrimination complaint, contact your local fair housing agency or contact HUD at:

**1-800-669-9777**

**1-800-927-9275 (TTY)**

**www.HUD.gov/fairhousing**



Find your local fair housing agency at

**www.nationalfairhousing.org**

**NFHA**  
National Fair Housing Alliance

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**NFHA**  
National Fair Housing Alliance



## YOUR FAIR HOUSING RIGHTS



Please contact us at  
**720-279-4291**  
**info@dmfhc.org**  
Website: [www.dmfhc.org](http://www.dmfhc.org)

**NFHA**  
National Fair Housing Alliance

## HOUSING DISCRIMINATION IS ILLEGAL

The federal Fair Housing Act prohibits discrimination in housing related transactions because of race, color, religion, national origin, sex, disability or familial status. Many state and local laws also prohibit housing discrimination based on several additional protected classes.

The Fair Housing Act applies to a wide variety of housing transactions, including rentals, sales, home mortgages, appraisals and homeowners insurance. Landlords, real estate agents, lenders, insurance companies and condominium, cooperative and homeowner associations must not discriminate because of one's membership in a protected class.

Housing discrimination is against the law. One way to stop discrimination is to report it.

## SOME SIGNS OF POSSIBLE DISCRIMINATION

- The availability changed between a phone contact and an in-person visit.
- The housing provider refused to sell, rent, or show available housing or charged a higher security deposit.
- Advertisements expressed a preference for singles or couples but the community does not qualify as housing for older persons.
- Families with children or persons with disabilities were limited or steered to certain buildings or to the first floor.
- The housing provider:
  - Failed or delayed to make repairs or maintain the property.
  - Limited the use of services or facilities or privileges.
  - Refused to make a reasonable accommodation or allow a reason modification for a person with a disability.

## COMMONLY ASKED QUESTIONS AND ANSWERS

### Must all landlords comply with the Fair Housing Act?

The Fair Housing Act covers most housing. In some circumstances, the Fair Housing Act exempts owner-occupied buildings with no more than four units. Communities that qualify for the "Housing for Older Persons" exemption under the Fair Housing Act are permitted to exclude families with children under the age of 18.

### What is the definition of a disability?

A disability is a physical or mental impairment which substantially limits one or more major life activities such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning and working. It also includes a record of having such an impairment or being regarded as having such an impairment. The law also covers someone who is associated with a person with a disability.

### What is a reasonable accommodation?

A "reasonable accommodation" is a change, exception or adjustment to a rule, policy, practice or service that may be necessary for a person with a disability to have an equal opportunity to use and enjoy a dwelling, including its public and common use space. For example, reasonable accommodations include allowing an assistance animal even if there is a "no pets" policy or creating a reserved accessible parking space for a specific resident.

### What is a reasonable modification?

A "reasonable modification" is a structural change made to existing premises occupied or to be occupied by a person with a disability so that he or she can fully use and enjoy the premises. Reasonable modifications can include structural changes to interiors and exteriors of dwellings, and to the common and public use areas.

Examples of reasonable modifications include installing grab bars or ramps, lowering counter spaces, and allowing a person with a hearing impairment to install strobes. The resident is responsible for paying the cost of the modification. Tenants are obligated to restore the interior of the unit to its previous state



only where it is reasonable to do so and the housing provider has requested the restoration. Section 504 of the Rehabilitation Act of 1973 may require landlords that receive federal funds to pay for reasonable modifications.

### What does "familial status" mean?

"Familial status" means the presence of children under 18 in the household. This includes pregnant women and persons in the process of adopting or securing custody of a child/children. Children include foster children and grandchildren so long as the person has legal custody or written permission.

### What actions does the law prohibit?

The law prohibits actions such as denying housing, limiting access to housing, discouraging home seekers, or creating different rules, fees, or standards because of one's membership in a protected class. The Fair Housing Act also prohibits harassing, coercing, intimidating, or interfering with anyone exercising or assisting someone else with his/her fair housing rights.

### Does this mean that a landlord must rent to or cannot evict anyone who is a member of a protected class?

No. A housing provider has the right to refuse rental applications or evict tenants based on objective criteria, such as credit history or bad tenant history. A housing provider should set criteria and apply them equally to each applicant and resident.

# ¿QUÉ MÁS ESTÁ CUBIERTO BAJO LA LEY DE VIVIENDA JUSTA?

## PRESTAMISTAS, TASADORES Y COMPAÑÍAS DE SEGURO NO PUEDEN DISCRIMINAR

Las hipotecas de viviendas y los préstamos personales con fines relacionados con la vivienda están cubiertos. Ninguna persona puede *debido* a raza, color, religión, origen nacional, sexo, discapacidad o situación familiar del solicitante:

- Negarse a brindar información sobre préstamos.
- Brindar información incompleta o inexacta.
- Rechazar otorgar un préstamo a un solicitante que califica.
- Establecer términos o condiciones diferentes en un préstamo, como tasas de interés, puntos o tarifas diferentes sin relación con el historial de crédito.
- Discriminar en la valoración de la propiedad.
- Rechazar emitir una política de seguro a un propietario de vivienda o a un inquilino.

También es una violación no diseñar y construir viviendas multifamiliares privadas o públicas con cuatro o más unidades de un modo accesible. Esto aplica a edificios diseñados y construidos para primera ocupación después del 13 de marzo de 1991.



Para obtener más información o presentar un reclamo sobre discriminación en viviendas, comuníquese con su agencia local de vivienda justa o con HUD:

**1-800-669-9777**

**1-800-927-9275 (TTY)**

**[www.HUD.gov/fairhousing](http://www.HUD.gov/fairhousing)**



Encuentre su agencia local de vivienda justa en

**[www.nationalfairhousing.org](http://www.nationalfairhousing.org)**

**NFHA**  
National Fair Housing Alliance

El trabajo que proporcionó la base para esta publicación fue sustentado en parte por el financiamiento de un subsidio del Departamento de Vivienda y Desarrollo Urbano de los Estados Unidos. La NFHA es la única responsable de la exactitud de las declaraciones e interpretaciones contenidas en esta publicación.



**NFHA**  
National Fair Housing Alliance



## SUS DERECHOS DE VIVIENDA JUSTA



Por favor llámenos con cualquier pregunta o inquietud

**720-279-4291**

**NFHA**  
National Fair Housing Alliance

# LA DISCRIMINACIÓN DE VIVIENDA ES ILEGAL

La Ley Federal de Vivienda Justa prohíbe discriminación en transacciones relacionadas con la vivienda por motivos de raza, color, religión, origen nacional, sexo, discapacidad o situación familiar. Muchas leyes estatales y locales también prohíben la discriminación en cuanto a la vivienda en base a numerosas clases adicionales protegidas.

La Ley de Vivienda Justa aplica a una variedad amplia de transacciones sobre viviendas, lo que incluye alquileres, ventas, hipotecas de casas, valoraciones y seguros por parte de propietarios de viviendas. Los propietarios, agentes inmobiliarios, prestamistas, compañías de seguros y condominios, cooperativas y asociaciones de propietarios de viviendas no deben discriminar debido a que una persona pertenezca a una clase protegida.

La discriminación de vivienda es contraria a la ley. La única manera de detener la discriminación es reportándola.

## ALGUNOS SIGNOS DE POSIBLE DISCRIMINACIÓN

- La disponibilidad cambia entre la comunicada telefónicamente y la comunicada cuando realiza la consulta personalmente.
- El proveedor de vivienda se niega a vender, alquilar o mostrar una vivienda disponible o cobró un depósito de seguridad más alto.
- Los anuncios expresan una preferencia por personas solteras o parejas pero la comunidad no califica como vivienda para personas mayores.
- Las familias con niños o las personas con discapacidad se limitan o se dirigen a ciertos edificios o al primer piso.
- El proveedor de vivienda:
  - No hizo o demoró reparaciones o mantenimiento de la propiedad.
  - Limitó el uso de servicios o instalaciones o privilegios.
  - Se negó a hacer adaptaciones razonables o a permitir una modificación razonable para una persona con discapacidad.

## PREGUNTAS Y RESPUESTAS FRECUENTES

### ¿Todos los propietarios deben cumplir con la Ley de Vivienda Justa?

La Ley de Vivienda Justa cubre la mayoría de las viviendas. En algunos casos, la Ley de Vivienda Justa excluye a aquellos edificios ocupados por sus propietarios que no tienen más de cuatro viviendas. Se permite que las comunidades que califican para la exención de "Vivienda para personas mayores" bajo la Ley de Vivienda Justa excluyan a las familias con hijos menores de 18 años.

### ¿Cuál es la definición de discapacidad?

Una discapacidad es un impedimento físico o mental que limita sustancialmente una o más de las actividades de mayor importancia en la vida, tales como cuidarse a sí mismo, realizar tareas manuales, caminar, ver, oír, hablar, respirar, aprender y trabajar. También se incluye un registro de tener dicho impedimento o referirse a alguien como si tuviera ese impedimento cuando no es así. La ley también cubre a una persona que está asociada con una persona con discapacidad.

### ¿Qué es una adaptación razonable?

Una "adaptación razonable" es un cambio, excepción o ajuste a una regla, política, práctica o servicio que puede ser necesaria para que una persona con una discapacidad tenga igualdad de oportunidades para usar y disfrutar de una vivienda, incluido el espacio de uso común y público. Por ejemplo, adaptaciones razonables incluyen permitir animales de asistencia, aunque existan políticas de "prohibición de mascotas", o crear un espacio de estacionamiento accesible reservado para un residente específico.

### ¿Qué es una modificación razonable?

Una "modificación razonable" es un cambio estructural que se realiza a instalaciones existentes que estén ocupadas o que vayan a ser ocupadas por una persona con discapacidad, para que pueda usar y disfrutar enteramente de las instalaciones. Las modificaciones razonables pueden incluir cambios estructurales a los interiores o exteriores de viviendas y a las áreas comunes y de uso público.

Algunos ejemplos de modificaciones razonables incluyen el instalar barras de agarre o rampas, bajar espacios de mostradores



y permitir a personas con dificultades auditivas instalar luces estroboscópicas. El residente es responsable del pago de los costos de la modificación. Los inquilinos están obligados a restaurar el interior de la unidad a su estado anterior solo en los casos en que es razonable y que el proveedor de vivienda lo haya solicitado. Es posible que la Sección 504 de la Ley de Rehabilitación de 1973 exija que los propietarios que reciben fondos federales paguen las modificaciones razonables.

### ¿Qué se entiende por "situación familiar"?

"Situación familiar" se refiere a que existen niños menores de 18 en el hogar. Esto incluye mujeres embarazadas y personas en proceso de adopción o custodia de niños. El término niños incluye niños en régimen de acogida y nietos en tanto la persona tenga custodia legal o un permiso escrito.

### ¿Qué acciones están prohibidas por la ley?

La ley prohíbe acciones como negar una vivienda, limitar el acceso a esta, desalentar a personas que busquen una vivienda, establecer regulaciones, tarifas o criterios diferentes porque una persona pertenezca a una clase protegida. La Ley de Vivienda Justa también prohíbe acosar, coaccionar, intimidar o interferir con una persona que ejerce o asiste a otra persona en sus derechos de vivienda justa.

### ¿Esto implica que un propietario debe alquilar o no puede desalojar a una persona que pertenezca a una clase protegida?

No. Un proveedor de vivienda tiene el derecho de rechazar solicitudes de alquiler o desalojar a inquilinos en función de criterios objetivos tales como su historial de crédito o si tuviera malos antecedentes como inquilino. Un proveedor de vivienda debe establecer criterios y aplicarlos de igual manera a cada solicitante o residente.

## BEST PRACTICES FOR ASSOCIATIONS AND PROPERTY MANAGERS

- Treat all applicants and residents alike regardless of race, color, religion, national origin, sex, disability, familial status or other characteristics that may be protected by state and/or local laws.
- Put eligibility criteria in writing and apply them in the same manner to all applicants.
- Establish the same terms and conditions for all applicants.
- Provide information about and/or show all applicants all available apartments for rent or units for sale.
- Never discourage applicants from applying or suggest they would be happier living elsewhere.
- Do not refuse to rent/sell to families with children unless the community qualifies for the "Housing for Older Persons" exemption under the Fair Housing Act.
- Establish a written procedure for responding to requests for reasonable accommodations and modifications from or on behalf of residents with disabilities.
- Review all promotional materials and advertisements to ensure that there is no suggestion of a preference, limitation or discrimination based on protected class.
- Require fair housing training for managers, board members, employees and real estate agents.



For more information or to file a housing discrimination complaint, contact your local fair housing agency or contact HUD at:

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## FAIR HOUSING GUIDANCE FOR CONDOMINIUM, COOPERATIVE AND HOMEOWNERS' ASSOCIATIONS

For consulting or training  
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email: info@dmfhc.org



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## THE FAIR HOUSING ACT APPLIES TO CONDOMINIUM, COOPERATIVE AND HOMEOWNERS' ASSOCIATIONS

The federal Fair Housing Act prohibits discrimination in housing-related transactions because of race, color, religion, national origin, sex, disability or familial status. Many state and local laws also prohibit housing discrimination based on several additional protected classes.

The Fair Housing Act applies to a wide variety of housing transactions, including rentals, sales, home mortgages, appraisals and homeowners insurance. Landlords, real estate agents, lenders, insurance companies, and condominium, cooperative and homeowners' associations must not discriminate because of one's membership in a protected class.

An association may have the right to approve or reject new residents and establish association policies and procedures, but it may not discriminate because of a protected characteristic while doing so.



## AVOID FAIR HOUSING VIOLATIONS

Associations are responsible for the statements and actions of those who work on their behalf, such as board members, property managers, maintenance staff and real estate agents. Ensure that *all* staff are knowledgeable about their fair housing responsibilities.



## COMMONLY ASKED QUESTIONS AND ANSWERS

### What is the definition of a disability?

A disability is a physical or mental impairment which substantially limits one or more major life activities, such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning and working. It also includes having a record of such an impairment or regarding someone as having such an impairment when they do not.

### What is a reasonable accommodation?

Housing providers must permit reasonable accommodations requested by residents. A "reasonable accommodation" is a change, exception or adjustment to a rule, policy, practice or service that may be necessary for a person with a disability to have an equal opportunity to use and enjoy a dwelling. For example, reasonable accommodations include allowing an assistance animal even if you have a "no pets" policy. Another common example is creating a reserved accessible parking space for a specific resident.

### What is a reasonable modification?

Housing providers must permit reasonable modifications requested by residents. A "reasonable modification" is a structural change made to existing premises occupied or to be occupied by a person with a disability, so that he or she can fully use and enjoy the premises. Reasonable modifications can include structural changes to interiors and exteriors of dwellings, and to the common and public use areas. The resident pays the cost of the modification. Examples of reasonable modifications include installing grab bars or ramps, lowering counter spaces, and allowing a deaf or hard of hearing tenant to install strobos.

### Are all requests considered reasonable?

A request for a reasonable accommodation may be denied if providing the accommodation would impose an undue financial and administrative burden on the housing provider or would fundamentally alter the nature of the provider's operations, determined on a case-by-case basis.

When a housing provider refuses a requested accommodation because it is not reasonable, the provider should discuss with the requester whether there is an alternative accommodation that would effectively address the requester's disability-related needs.



### May the association ask for details or proof that a person is disabled?

The housing provider may ask for verification of a person's disability, if it is not obvious or otherwise known to the housing provider, and may verify that a request is related to that disability. If requested, the individual may provide a written statement from a licensed medical or social service professional or other third party stating that the applicant/resident qualifies as an individual with a disability. **The housing provider may not ask the person with a disability or the certifying professional about the nature or severity of the individual's disability.**

### What is familial status?

"Familial status" means the presence of children under 18 in the household. This includes pregnant women and persons in the process of adopting or securing custody of a child/children. Children include foster children and grandchildren as long as the person has legal custody or written permission.

### If the only available units are on upper floors, may the community refuse to rent to families with children?

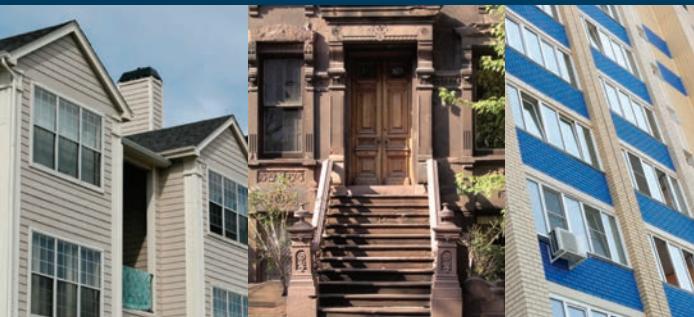
No. It is up to the applicants to determine whether they have any preference about floor levels.

### Under what circumstances may a community or association exclude families with children?

Communities that qualify for the "Housing for Older Persons" exemption under the Fair Housing Act are permitted to exclude families with children under the age of 18. These communities must meet all the requirements of the exemption: In housing for persons 62 or older, every resident must be 62 or older; and in housing for persons age 55 or older, 80% of the units must have at least one person age 55 or older, and the community must meet other requirements, including completing surveys.

## BUENAS PRÁCTICAS PARA ASOCIACIONES Y GERENTES DE PROPIEDADES

- Tratar a todos los solicitantes y residentes de la misma manera, sin importar su raza, color, religión, nacionalidad de origen, sexo, discapacidad, situación familiar, u otras características que puedan estar protegidas por leyes estatales o locales.
- Establecer criterios de elegibilidad por escrito y aplicarlos de la misma forma a todos los solicitantes.
- Establecer los mismos términos y condiciones para todos los solicitantes.
- Brindar información y/o mostrar a todos los solicitantes todos los departamentos en alquiler disponibles o las unidades a la venta.
- No desalentar a los solicitantes de solicitar o sugerirles que sería mejor vivir en otro lugar.
- No negar la venta o alquiler a familias con niños a menos que la comunidad califique como parte de la excepción de "Vivienda para personas mayores" de la Ley de Vivienda Justa.
- Establecer un procedimiento escrito para responder a los pedidos de adaptaciones razonables y las modificaciones a nombre de residentes con discapacidades.
- Revisar todos los materiales promocionales y publicidades para asegurarse de que no haya sugerencias de preferencias, limitaciones o discriminaciones basadas en clases protegidas.
- Exigir preparación en vivienda justa a gerentes, miembros directivos, empleadores y agentes inmobiliarios.



Para obtener más información o presentar un reclamo sobre discriminación en viviendas, comuníquese con su agencia local de vivienda justa o con HUD:

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## GUÍA DE LA VIVIENDA JUSTA PARA ASOCIACIONES DE CONDOMINIOS, COOPERATIVAS Y PROPIETARIOS



Por favor llámenos con  
cualquier pregunta o  
inquietud: 720-279-4291  
o [info@dmfhc.org](mailto:info@dmfhc.org)  
[www.dmfhc.org](http://www.dmfhc.org)

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## LA LEY DE VIVIENDA JUSTA APLICA A LAS ASOCIACIONES DE CONDOMINIOS, COOPERATIVAS Y PROPIETARIOS

La Ley Federal de Vivienda Justa prohíbe discriminación en transacciones relacionadas con la vivienda por motivos de raza, color, origen nacional, sexo, discapacidad o situación familiar. Muchas leyes estatales y locales también prohíben la discriminación en cuanto a la vivienda en base a numerosas clases adicionales protegidas.

La Ley de Vivienda Justa se aplica a una variedad amplia de transacciones sobre viviendas, incluidos alquileres, ventas, hipotecas de casas, valoraciones y seguros por parte de propietarios de viviendas. Los propietarios, agentes inmobiliarios, prestamistas, compañías de seguros y condominios, cooperativas y asociaciones de propietarios de viviendas no deben discriminar debido a que una persona pertenezca a una clase protegida.

Una asociación puede tener el derecho de aprobar o rechazar nuevos residentes y establecer políticas de asociación y procedimientos, pero no puede discriminar por razones de protección al armar sus políticas.



## EVITE LAS VIOLACIONES A LA VIVIENDA JUSTA

Las asociaciones son responsables por los estados de cuenta y acciones de aquellos que trabajan para ellas, miembros de la administración, gerentes de propiedades, equipo de mantenimiento y agentes inmobiliarios. Asegúrese de que todo el equipo esté al tanto de sus responsabilidades relacionadas a la vivienda justa.



## PREGUNTAS Y RESPUESTAS FRECUENTES

### ¿Cuál es la definición de discapacidad?

Una discapacidad es un impedimento físico o mental que limita sustancialmente una o más de las actividades de mayor importancia en la vida, tales como cuidarse a sí mismo, realizar tareas manuales, caminar, ver, oír, hablar, respirar, aprender y trabajar. También se incluye tener un registro de dicho impedimento o referirse a alguien como si tuviera ese impedimento cuando no es así.

### ¿Qué es una adaptación razonable?

Los proveedores de viviendas deben permitir las adaptaciones razonables que los residentes soliciten. Una "adaptación razonable" es un cambio, excepción o ajuste a una regla, política, práctica o servicio que puede ser necesario para que una persona con una discapacidad tenga igualdad de oportunidades para usar y disfrutar de una vivienda. Por ejemplo, las adaptaciones razonables incluyen permitir animales asistentes, aunque existan políticas de "prohibición de mascotas". Otro ejemplo común es crear un lugar de estacionamiento accesible para un residente determinado.

### ¿Qué es una modificación razonable?

Los proveedores de viviendas deben permitir las modificaciones razonables que los residentes soliciten. Una "modificación razonable" es un cambio estructural que se realiza a instalaciones existentes que estén ocupadas o que vayan a ser ocupadas por una persona con discapacidad, para que pueda usar y disfrutar enteramente del domicilio. Las modificaciones razonables pueden incluir cambios estructurales a los interiores o exteriores de viviendas y a las áreas comunes y de uso público. El residente paga el costo de la modificación. Algunos ejemplos de modificaciones razonables incluyen el instalar barras de agarre o rampas, bajar espacios de mostradores y permitir a inquilinos que sufren de sordera o dificultades auditivas instalar luces estroboscópicas.

### ¿Todos los pedidos son considerados razonables?

Una solicitud de adaptación razonable puede denegarse en el caso que al proveer la adaptación imponga una carga financiera y administrativa excesiva sobre el proveedor de la vivienda o altere la naturaleza de las operaciones del proveedor, que se determinan en base a cada caso particular.

Cuando un proveedor de vivienda rechaza una adaptación solicitada porque no es razonable, el proveedor debe discutir con el solicitante si hay una adaptación alternativa que podría abordar de manera efectiva las necesidades relacionadas con la discapacidad del solicitante.



### ¿La asociación puede pedir detalles o pruebas de la discapacidad?

Es posible que el proveedor de la vivienda pida una verificación de la discapacidad de una persona, si no es obvia o conocida de alguna otra manera por el proveedor de la vivienda, y que verifique que la solicitud esté relacionada con esa discapacidad. Si se solicita, el individuo puede proporcionar un comunicado escrito de un médico con licencia o un profesional de servicio social o de otro intermediario que manifieste que el solicitante o residente califica como individuo con una discapacidad. **El proveedor de la vivienda no debe de preguntar a la persona con discapacidad o al profesional que certifique sobre la naturaleza o gravedad de la discapacidad del individuo.**

### ¿Qué es la situación familiar?

"Situación familiar" se refiere a que existen niños menores de 18 en el hogar. Esto incluye mujeres embarazadas y personas en proceso de adopción o custodia de niños. El término niños incluye niños en régimen de acogida y nietos en tanto la persona tenga custodia legal o un permiso escrito.

### Si la única unidad disponible está en los pisos más altos, ¿puede negarse la comunidad a alquilar a familias con niños?

No. Depende de los solicitantes determinar si tienen alguna preferencia por la altura de los pisos.

### ¿Bajo qué circunstancias puede la comunidad o asociación excluir a familias con niños?

Se permite que las comunidades que califican para la exención de "Vivienda para personas mayores" bajo la Ley de Vivienda Justa excluyan a las familias con hijos menores de 18 años. Estas comunidades deben cumplir con todos los requisitos de la exención: En relación a la vivienda para personas de 62 años o mayores, todos los residentes deben tener 62 años o más; y en relación a la vivienda para personas de 55 años o mayores, el 80 % de las unidades debe tener, al menos, a una persona de 55 años o mayor, y la comunidad debe cumplir con otros requisitos, incluido completar las encuestas.

## REQUEST FOR REASONABLE ACCOMMODATION/MODIFICATION

Housing providers are required to make a reasonable accommodation in their rules, policies, practices and procedures, and to allow reasonable modifications (changes to the physical structure) for individuals with disabilities. A request need not be in writing, but it is recommended that a request be made in writing so that there is a record of both the request and the date it was sent.

When considering a reasonable accommodation/modification request, a housing provider may take only the following into consideration:

- Is the individual for whom the request is made a person with a disability?
- Is the requested accommodation or modification necessary to allow the person with a disability an equal opportunity to use and enjoy a dwelling, including common areas? This is not determined by the housing provider but by the individual; however, confirmation from a qualified third party may be requested.
- Would the requested accommodation impose an undue financial and administrative burden on the housing provider? For a modification, this may only be considered if the housing provider receives federal financial assistance.
- Would the requested accommodation require a fundamental alteration in the nature of the program?

Under no circumstances may a housing provider ask about the nature or severity of the disability. Housing providers may request information about the relationship between the person's disability and the need for the requested accommodation or modification.

Providers may ask questions that clarify what it is about the rule, policy, practice or procedure that serves as a barrier or whether there are alternatives that would work for the person with a disability. This may enable providers to offer an alternative solution if the requested accommodation is an administrative and financial hardship or would fundamentally alter the nature of a provider's operations.

For more information or to file a housing discrimination complaint, contact your local fair housing agency or contact HUD at:

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## FAIR HOUSING RIGHTS OF PERSONS WITH DISABILITIES



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**720-279-4291**  
**info@dmfhc.org**  
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## HOUSING DISCRIMINATION IS ILLEGAL

The federal Fair Housing Act prohibits discrimination in housing-related transactions because of race, color, religion, national origin, sex, disability or familial status. Many state and local laws also prohibit housing discrimination based on several additional protected classes.

The Fair Housing Act applies to a wide variety of housing transactions, including rentals, sales, home mortgages, appraisals and homeowners insurance. Landlords, real estate agents, lenders, insurance companies, and condominium, cooperative and homeowners' associations must not discriminate because of one's membership in a protected class.

Housing discrimination is against the law. The only way to stop discrimination is to report it.



## COMMONLY ASKED QUESTIONS AND ANSWERS

### What is the definition of a disability?

A disability is a physical or mental impairment which substantially limits one or more major life activities, such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning and working. It also includes having a record of such an impairment or regarding someone as having such an impairment when they do not.

### May housing providers refuse to rent to me because they believe I will not be safe or cannot take care of myself?

No. The only exception, which applies to all applicants, is if an individual's tenancy poses a direct threat to the health or safety of others or would result in substantial physical damage to the property of others *and* a reasonable accommodation cannot significantly reduce or eliminate the threat.

### What is a reasonable accommodation?

Housing providers must permit reasonable accommodations requested by residents. A "reasonable accommodation" is a change, exception or adjustment to a rule, policy, practice or service that may be necessary for a person with a disability to have an equal opportunity to use and enjoy a dwelling. For example, reasonable accommodations include allowing an assistance animal even if there is a "no pets" policy or creating a reserved accessible parking space for a specific resident.

A request for a reasonable accommodation may be denied if providing the accommodation would impose an undue financial and administrative burden on the housing provider or would

fundamentally alter the nature of the provider's operations, determined on a case-by-case basis. When a housing provider refuses a requested accommodation because it is not reasonable, the provider should discuss with the requester whether there is an alternative accommodation that would effectively address the requester's disability-related needs.

### What is a reasonable modification?

Housing providers must permit reasonable modifications requested by residents. A "reasonable modification" is a structural change made to existing premises occupied or to be occupied by a person with a disability, so that he or she can fully use and enjoy the premises. Reasonable modifications can include structural changes to interiors and exteriors of dwellings, and to the common and public use areas. The resident pays the cost of the modification. Examples of reasonable modifications include installing grab bars or ramps, lowering counter spaces, and allowing a deaf or hard of hearing tenant to install strobes. Section 504 of the Rehabilitation Act of 1973 may require landlords that receive federal funds to pay for reasonable modifications.

### May the housing provider ask for details or proof that I am disabled?

The housing provider may ask for verification of a person's disability, if it is not obvious or otherwise known to the housing provider, and may verify that a request is related to that disability. If requested, the individual may provide a written statement from a licensed medical or social service professional or other third party stating that the applicant/resident qualifies as an individual with a disability. **The housing provider may not ask the person with a disability or the certifying professional about the nature or severity of the individual's disability.**

## LENDERS ALSO MAY NOT DISCRIMINATE

These are examples of things a lender may not do because you are a person with a disability:

- Refuse to meet with you because you request a sign language interpreter or need some other reasonable accommodation, such as meeting in a wheelchair-accessible location.
- Require medical documentation from you or require that you prove that your disability income will continue for a specified period of time, such as three years.

- Charge you a higher interest rate or fees.
- Fail to count all your sources of income, including any disability income.
- Hold you to a higher qualification standard or require a higher credit score.
- Require that you make a larger down payment or pay more in closing costs.
- Appraise the property differently because it has features such as strobes or ramps.

## SOLICITUD DE UNA ADAPTACIÓN O MODIFICACIÓN RAZONABLE

Los proveedores de viviendas deben hacer una adaptación razonable en sus reglas, políticas, prácticas y procedimientos, y deben permitir modificaciones razonables (cambios en la estructura física) para individuos con discapacidades. Una solicitud no necesita hacerse por escrito, pero se recomienda que se haga por escrito para que haya un registro tanto de la solicitud como de la fecha en que fue enviada.

Al considerar una adaptación o modificación razonable, un proveedor de vivienda debe considerar solo lo siguiente:

- ¿La persona para la que se hizo la solicitud tiene una discapacidad?
- ¿Es la adaptación o modificación solicitada necesaria para permitir que la persona con discapacidad tenga igualdad de oportunidades para usar y disfrutar la vivienda, incluidas las áreas comunes? Esto no está determinado por el proveedor de la vivienda, sino por el individuo; sin embargo, es posible que se solicite la confirmación de un intermediario calificado.
- ¿La adaptación solicitada impone una carga financiera y administrativa excesiva sobre el proveedor de la vivienda? En el caso de una modificación, esto solo puede considerarse si el proveedor de la vivienda recibe asistencia financiera federal.
- ¿La adaptación solicitada exige una alteración fundamental en la naturaleza del programa?

Bajo ninguna circunstancia es posible que un proveedor de vivienda pregunte sobre la naturaleza o gravedad de la discapacidad. Es posible que los proveedores de viviendas soliciten información sobre la relación entre la discapacidad de la persona y la necesidad de contar con la adaptación o modificación solicitada.

Los proveedores pueden hacer preguntas para clarificar lo relacionado con la regla, política, práctica o procedimiento que pueda ser una barrera o si hay alternativas que podrían funcionar para la persona con discapacidad. Esto puede permitir que los proveedores ofrezcan una solución alternativa si la acomodación solicitada es una dificultad administrativa y financiera o si altera de manera fundamental la naturaleza de las operaciones del proveedor.

Para obtener más información o presentar un reclamo sobre discriminación en viviendas, comuníquese con su agencia local de vivienda justa o con HUD:

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## DERECHOS DE VIVIENDA JUSTA DE PERSONAS CON DISCAPACIDADES



Por favor llámenos con cualquier pregunta o inquietud: 720-279-4291 o [info@dmfhc.org](mailto:info@dmfhc.org)  
[www.dmfhc.org](http://www.dmfhc.org)

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## LA DISCRIMINACIÓN DE VIVIENDA ES ILEGAL

La Ley Federal de Vivienda Justa prohíbe discriminación en transacciones relacionadas con la vivienda por motivos de raza, color, origen nacional, sexo, discapacidad o situación familiar. Muchas leyes estatales y locales también prohíben la discriminación en cuanto a la vivienda en base a numerosas clases adicionales protegidas.

La Ley de Vivienda Justa aplica a una variedad amplia de transacciones sobre viviendas, lo que incluye alquileres, ventas, hipotecas de casas, valoraciones y seguros por parte de propietarios de viviendas. Los propietarios, agentes inmobiliarios, prestamistas, compañías de seguros y condominios, cooperativas y asociaciones de propietarios de viviendas no deben discriminar debido a que una persona pertenezca a una clase protegida.

La discriminación de vivienda es contraria a la ley. La única manera de detener la discriminación es reportándola.



## PREGUNTAS Y RESPUESTAS FRECUENTES

### ¿Cuál es la definición de discapacidad?

Una discapacidad es un impedimento físico o mental que limita sustancialmente una o más de las actividades de mayor importancia en la vida, tales como cuidarse a sí mismo, realizar tareas manuales, caminar, ver, oír, hablar, respirar, aprender y trabajar. También se incluye tener un registro de dicho impedimento o referirse a alguien como si tuviera ese impedimento cuando no es así.

### ¿Los proveedores de vivienda pueden negarse a alquilarme la vivienda porque creen que no estaré seguro o que no puedo cuidarme a mí mismo?

No. La única excepción, que aplica a todos los solicitantes, es en el caso de que la tenencia de un individuo implique una amenaza directa a la salud o seguridad de otros o pudiera ocasionar algún daño físico sustancial a la propiedad de otros y no haya ningún tipo de adaptación razonable que pueda reducir de manera significativa o eliminar la amenaza.

### ¿Qué es una adaptación razonable?

Los proveedores de viviendas deben permitir las adaptaciones razonables que los residentes soliciten. Una "adaptación razonable" es un cambio, excepción o ajuste a una regla, política, práctica o servicio que puede ser necesaria para que una persona con una discapacidad tenga igualdad de oportunidades para usar y disfrutar de una vivienda. Por ejemplo, adaptaciones razonables el permitir animales asistente, aunque existan políticas de "prohibición de mascotas", o crear un espacio de estacionamiento accesible reservado para un residente específico.

Una solicitud de adaptación razonable puede denegarse en el caso de que el proveer la adaptación imponga una carga financiera y administrativa excesiva sobre el proveedor de la vivienda o altere la naturaleza de las operaciones del proveedor,

que se determinan con base en cada caso particular. Cuando un proveedor de vivienda rechaza una adaptación solicitada porque no es razonable, el proveedor debe discutir con el solicitante si hay una adaptación alternativa que podría abordar de manera efectiva las necesidades relacionadas con la discapacidad del solicitante.

### ¿Qué es una modificación razonable?

Los proveedores de viviendas deben permitir las modificaciones razonables que los residentes soliciten. Una "modificación razonable" es un cambio estructural que se realiza a instalaciones existentes que estén ocupadas o que vayan a ser ocupadas por una persona con discapacidad, para que pueda usar y disfrutar enteramente de las instalaciones. Las modificaciones razonables pueden incluir cambios estructurales a los interiores o exteriores de viviendas y a las áreas comunes y de uso público. El residente paga el costo de la modificación. Algunos ejemplos de modificaciones razonables incluyen el instalar barras de agarre o rampas, bajar espacios de mostradores y permitir a inquilinos que sufran de sordera o dificultades auditivas instalar luces estroboscópicas. Es posible que la Sección 504 de la Ley de Rehabilitación de 1973 exija que los propietarios que reciben fondos federales paguen las modificaciones razonables.

### ¿Es posible que el proveedor de la vivienda pida detalles o prueba de que tengo una discapacidad?

Es posible que el proveedor de la vivienda pida una verificación de la discapacidad de una persona, si no es obvia o conocida de alguna otra manera por el proveedor de la vivienda, y que verifique que la solicitud esté relacionada con esa discapacidad. Si se solicita, el individuo puede proporcionar un comunicado escrito de un médico con licencia o un profesional de servicio social o de otro intermediario que manifieste que el solicitante o residente califica como individuo con una discapacidad. **El proveedor de la vivienda no puede preguntar a la persona con discapacidad, o al profesional que certifique, sobre la naturaleza o gravedad de la discapacidad del individuo.**

## LOS PRESTAMISTAS TAMPOCO PUEDEN DISCRIMINAR

A continuación encontrará ejemplo de cosas que un prestamista no puede hacer porque usted sea una persona con una discapacidad:

- Negarse a reunirse con usted porque usted solicita un intérprete de lenguaje de señas o necesita alguna otra adaptación razonable, tal como reunirse en un lugar que sea accesible en silla de ruedas.
- Exigirle documentación médica o exigir que demuestre que su ingreso por discapacidad continuará durante un período de tiempo especificado, como por ejemplo durante tres años.

- Cobrarle una tasa de interés o tarifas más altas.
- No contar todas sus fuentes de ingreso, incluido cualquier ingreso por discapacidad.
- Ubicarlo en un estándar de calificación más alto o exigirle un puntaje de crédito mayor.
- Exigirle que realice un pago inicial mayor o que pague más en costos de cierre.
- Evaluar la propiedad de manera diferente porque tiene características como luces estroboscópicas o rampas.

# **YOUR LEASE DOES NOT REQUIRE YOU TO PROVIDE SEXUAL FAVORS.**



## **Sexual harassment violates the Fair Housing Act.**

Sexual harassment by a landlord, maintenance worker or anyone associated with your rental property is against the law. The Fair Housing Act protects you from harassment, including someone repeatedly entering your apartment without permission, making unwelcome sexual advances or refusing to make repairs because you deny sexual favors. If this happens to you, file a housing discrimination complaint.

Go to **hud.gov/fairhousing/sexualharassment** or call your local fair housing agency at **720-279-4291** or **info@dmfhc.org**



*If you fear for your safety, call 911.*

## **FAIR HOUSING: THE LAW IS ON YOUR SIDE.**

A public service message from the U.S. Department of Housing and Urban Development in cooperation with the National Fair Housing Alliance. The federal Fair Housing Act prohibits discrimination because of race, color, religion, national origin, sex, familial status or disability.



# **NO ES NECESARIO QUE HAGAS FAVORES SEXUALES POR TU ALQUILER.**



## **El acoso sexual infringe la Ley de Igualdad de Vivienda.**

El acoso sexual por parte de un propietario, trabajador de mantenimiento o de otra persona vinculada con tu propiedad de alquiler es ilegal. La Ley de Igualdad de Vivienda te protege del acoso, que incluye personas que entran repetidamente a tu apartamento sin tu permiso, que hacen avances sexuales no deseados o que se niegan a hacer reparaciones porque rechazas favores sexuales. Si esto te sucede, haz una denuncia por discriminación.

Visita **hud.gov/fairhousing/sexualharassment** o llama 720-279-4291  
si está experimentando discriminación en la vivienda



*Si temes por tu seguridad, llama al 911.*

## **IGUALDAD DE VIVIENDA: LA LEY ESTÁ DE TU LADO.**

Un mensaje de servicio público del Departamento de Vivienda y Desarrollo Urbano de los Estados Unidos en cooperación con la Alianza Nacional de Igualdad de Vivienda. La Ley Federal de Igualdad de Vivienda prohíbe la discriminación por motivos de raza, color, religión, nacionalidad, sexo, situación familiar o discapacidad.



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# HỢP ĐỒNG THUÊ NHÀ CỦA QUÝ VỊ KHÔNG CÓ ĐIỀU KHOẢN NÀO BUỘC QUÝ VỊ PHẢI TRAO ĐỔI TÌNH DỤC.



hoặc gọi  
**720-279-4291**



## Quấy nhiễu tình dục vi phạm Đạo luật Công bằng gia cư.

Chủ nhà, nhân viên sửa chữa hay bất cứ người nào có liên quan đến nhà quý vị đang thuê quấy nhiễu tình dục đối với quý vị là điều phạm pháp. Đạo luật Công bằng gia cư bảo vệ quý vị không bị quấy nhiễu, gồm cả việc người nào đó không được phép nhưng cứ tiếp tục vào nhà quý vị, có những hành động đòi hỏi tình dục ngoài ý muốn của quý vị hoặc từ chối sửa chữa nhà cho quý vị vì quý vị không đáp ứng đòi hỏi tình dục của họ. Nếu tình trạng này xảy ra cho quý vị, quý vị hãy nộp đơn khiếu nại về kỳ thị về gia cư.

Vào trang mạng **hud.gov/fairhousing/sexualharassment** hoặc gọi **1-800-669-9777**  
Dịch vụ chuyển tiếp liên bang **1-800-877-8339**

Nếu quý vị lo sợ cho sự an toàn của mình, hãy gọi 911.

## CÔNG BẰNG GIA CƯ: LUẬT PHÁP LUÔN BẢO VỆ QUÝ VỊ.

Thông tin này do Bộ Gia cư và phát triển đô thị Hoa Kỳ và tổ chức Liên hiệp Công bằng Gia cư Quốc gia hợp tác công bố. Đạo luật Công bằng Gia cư liên bang nghiêm cấm mọi hình thức kỳ thị căn cứ trên chủng tộc, màu da, tôn giáo, nguồn gốc quốc gia, giới tính, tình trạng gia đình hoặc khuyết tật.



**NFHA**  
National Fair Housing Alliance



**When your landlord  
sexually harasses you,**

*peace at*

# **THERE'S NO ~~PLACE~~ LIKE HOME**

Sexual harassment by a landlord, maintenance worker or anyone associated with your property is against the law. The Fair Housing Act protects you from harassment, including someone repeatedly entering your home without permission, making unwelcome sexual advances or refusing to make repairs because you deny sexual favors. If this happens to you, file a housing discrimination complaint.

Go to [hud.gov/fairhousing/sexualharassment](http://hud.gov/fairhousing/sexualharassment) or  
call your local fair housing agency at  
**720-279-4291** or [info@dmfhc.org](mailto:info@dmfhc.org).

If you fear for your safety, call 911.



Visit [dmfhc.org](http://dmfhc.org) for  
more info



## **FAIR HOUSING: THE LAW IS ON YOUR SIDE.**

A public service message from the U.S. Department of Housing and Urban Development in cooperation with the National Fair Housing Alliance. The federal Fair Housing Act prohibits discrimination because of race, color, religion, national origin, sex, familial status or disability.





**Cuando tu propietario  
te acosa sexualmente,**

*paz en*

# **NO HAY LUGAR COMO TU HOGAR**

El acoso sexual por parte de un propietario, trabajador de mantenimiento o de otra persona vinculada con tu propiedad de alquiler es ilegal. La Ley de Igualdad de Vivienda te protege del acoso, que incluye personas que entran repetidamente a tu apartamento sin tu permiso, que hacen avances sexuales no deseados o que se niegan a hacer reparaciones porque rechazas favores sexuales. Si esto te sucede, haz una denuncia por discriminación.

Visita **hud.gov/fairhousing/sexualharassment**  
o llama al **720-279-4291**

Si está experimentando discriminación en la vivienda

*Si temes por tu seguridad, llama al 911.*



[www.dmfhc.org](http://www.dmfhc.org)



## **IGUALDAD DE VIVIENDA: LA LEY ESTÁ DE TU LADO.**

Un mensaje de servicio público del Departamento de Vivienda y Desarrollo Urbano de los Estados Unidos en cooperación con la Alianza Nacional de Igualdad de Vivienda. La Ley Federal de Igualdad de Vivienda prohíbe la discriminación por motivos de raza, color, religión, nacionalidad, sexo, situación familiar o discapacidad.



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720-279-4291



KHI CHỦ NHÀ QUẤY NHIỄU  
TÌNH DỤC QUÝ VỊ,  
**BÌNH AN NƠI**  
**KHÔNG CÓ NƠI NÀO NHƯ NHÀ MÌNH**

Chủ nhà, nhân viên sửa chữa hay bất cứ người nào có liên quan đến nhà quý vị đang ở quấy nhiễu tình dục đối với quý vị là điều phạm pháp. Đạo luật Công bằng Gia cư bảo vệ quý vị không bị quấy nhiễu, gồm cả việc người nào đó không được phép nhưng cứ tiếp tục vào nhà quý vị, có những hành động đòi hỏi tình dục ngoài ý muốn của quý vị hoặc từ chối sửa chữa nhà cho quý vị vì quý vị không đáp ứng đòi hỏi tình dục của họ. Nếu tình trạng này xảy ra cho quý vị, quý vị hãy nộp đơn khiếu nại về kỳ thị về gia cư.

Vào trang mạng [hud.gov/fairhousing/sexualharassment](http://hud.gov/fairhousing/sexualharassment)

hoặc gọi 1-800-669-9777

Dịch vụ chuyển tiếp liên bang 1-800-877-8339

Nếu quý vị lo sợ cho sự an toàn của mình, hãy gọi 911.



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**CÔNG BẰNG GIA CƯ: LUẬT PHÁP LUÔN BẢO VỆ QUÝ VỊ.**

Thông tin này do Bộ Gia cư và phát triển đô thị Hoa Kỳ và tổ chức Liên hiệp Công bằng Gia cư Quốc gia hợp tác công bố. Đạo luật Công bằng Gia cư liên bang nghiêm cấm mọi hình thức kỳ thị căn cứ trên chủng tộc, màu da, tôn giáo, nguồn gốc quốc gia, giới tính, tình trạng già dinh hoặc khuyết tật.

# YOU DESERVE TO LIVE SAFE FROM SEXUAL HARASSMENT.



Sexual harassment by a landlord or anyone related to your housing violates the Fair Housing Act. If you receive unwelcome sexual advances or are threatened with eviction because you refuse to provide sexual favors, you may file a fair housing complaint.

To file a complaint, go to [hud.gov/fairhousing](http://hud.gov/fairhousing) or contact your local fair housing agency:



If you fear for your safety, call 911.

720-279-4291 or  
[info@dmfhc.org](mailto:info@dmfhc.org)  
[www.dmfhc.org](http://www.dmfhc.org)



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**FAIR HOUSING IS YOUR RIGHT. USE IT.**

A public service message from the U.S. Department of Housing and Urban Development in cooperation with the National Fair Housing Alliance. The federal Fair Housing Act prohibits discrimination because of race, color, religion, national origin, sex, familial status or disability. For more information, visit [www.hud.gov/fairhousing](http://www.hud.gov/fairhousing).

# MERECES VIVIR A SALVO DEL ACOSO SEXUAL.



Si está experimentando  
discriminación en la  
vivienda, por favor llame:  
720-279-4291



El acoso sexual de un propietario o de cualquier persona relacionada con tu vivienda infringe la Ley de Igualdad de Vivienda. Si recibes avances sexuales indeseados o te amenazan con desalojarte porque te niegas a hacer favores sexuales, puedes presentar un reclamo de igualdad de vivienda.

Para hacer una denuncia visita,

**hud.gov/fairhousing**

o llama al **1-800-669-9777**

*Si temes por tu seguridad, llama al 911.*

**LA IGUALDAD DE VIVIENDA ES TU DERECHO. ÚSALO.**

Un mensaje de servicio público del Departamento de Vivienda y Desarrollo Urbano de los Estados Unidos en cooperación con la Alianza Nacional de Igualdad de Vivienda. La Ley Federal de Igualdad de Vivienda prohíbe la discriminación por motivos de raza, color, religión, nacionalidad, sexo, situación familiar o discapacidad. Para obtener más información, visita [www.hud.gov/fairhousing](http://www.hud.gov/fairhousing).



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# BẠN CÓ QUYỀN SỐNG AN TOÀN KHỎI SỰ SÁCH NHIỄU TÌNH DỤC.



hoặc gọi  
720-279-4291

Sách nhiễu tình dục từ chủ cho thuê nhà hoặc mọi người nào liên quan đến nhà ở là vi phạm Đạo luật Công bằng về Nhà ở. Nạn nhân của sự sàm sỡ hoặc bị đe dọa đuổi nhà vì từ chối không quan hệ tình dục có thể nạp đơn khiếu nại với trung tâm công bằng về nhà ở.

Để nạp đơn khiếu nại, truy cập  
**hud.gov/fairhousing**  
hoặc gọi **1-800-669-9777**

Nếu lo ngại cho tính mạng mình, hãy gọi 911

**ĐƯỢC ĐỐI XỬ CÔNG BẰNG VỀ NHÀ Ở LÀ QUYỀN CỦA BẠN. HÃY SỬ DỤNG QUYỀN NÀY.**

Tin nhắn về dịch vụ công cộng từ Sở Nhà ở và Phát triển Đô thị Hoa Kỳ (U.S. Department of Housing and Urban Development) hợp tác với Liên minh Công bằng về Nhà ở Quốc gia (National Fair Housing Alliance), Đạo luật Công bằng về Nhà ở của liên bang nghiêm cấm phân biệt đối xử dựa trên sắc tộc, màu da, tôn giáo, nguồn gốc quốc gia, giới tính, tình trạng già dinh hoặc tình trạng khuyết tật. Để biết thêm thông tin, hãy truy cập [www.hud.gov/fairhousing](http://www.hud.gov/fairhousing).

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# HELP STOP HOUSING DISCRIMINATION!

## Become a Fair Housing Tester

Tester training consists of attending a training in our office and an initial test for field practice. We can arrange reasonable accommodations if needed. We offer a **stipend** upon completion of the initial test, and for subsequent assignments.

## What is Fair Housing?

The Federal Fair Housing Act protects the right of all people to rent, buy, finance, or insure housing free from discrimination based on race, color, national origin, sex, religion, disability or familial status. Additionally, Colorado law prohibits discrimination based on sexual orientation, ancestry, creed, and marital status.

## What is testing?

Fair housing testing provides an objective means to determine whether prospective renters or buyers are treated differently because of their protected class status in violation of fair housing laws. In a basic test, two individuals similarly situated in most respects other than the protected class variable being tested, are sent to the same rental or sales office. Each tester then provides a detailed written report about the experience to DMFHC staff.

## Who can be a tester?

Individuals of every race, ability, religion, etc. are needed in order to conduct investigations. Testers must be reliable and objective, and must be willing to commit 2-3 hours for each test.

## How do I apply?

Testers do need to be over 18, not work within real estate or mortgage lending, are not licensed attorneys, and do not have any felonies. If you would like to be considered for an upcoming training please inquire to:

Carrie Simpson, Test Coordinator  
[csimpson@dmfhc.org](mailto:csimpson@dmfhc.org)



3280 N Downing Street, Suite B

Denver, CO 80205

720-279-4291

DMFHC.org