

Fair Housing

The federal Fair Housing Act prohibits discrimination in housing on the basis of:

- Race or color
- National origin
- Religion
- Sex
- Familial status (families with children)
- Disability

California State law adds certain protections related to ancestry, marital status, income source and sexual orientation.

Under the Fair Housing Act, the following activities are illegal if based on one of the protected attributes listed above:

- Refuse to rent or sell housing
- Refuse to negotiate for housing
- Make housing unavailable
- Set different terms, conditions, or privileges for sale or rental
- Provide different housing services or facilities
- Falsely deny that housing is available for inspection, sale or rental
- For profit, persuade owners to sell or rent (blockbusting)
- Deny any access to or membership in a facility or service (such as a multiple listing service) related to the sale of housing
- Refuse to make reasonable accommodations in rules or services if necessary for a disabled person to use the housing
- Refuse to allow a disabled person to make reasonable accommodations to his/her dwelling
- Threaten or interfere with anyone making a fair housing complaint
- Refuse to provide municipal services, property insurance or hazard insurance for dwellings, or providing such services or insurance differently

To make a complaint, please contact [ECHO Housing](#)

You may also contact the U.S. Department of Housing and Urban Development (HUD) directly, using the [Housing Discrimination Complaint Form](#), or you may write HUD a letter, or telephone the [HUD Office](#) nearest you. You have one year after an alleged violation to file a complaint with HUD, but you should file it as soon as possible.

Laws

[Title VIII of the federal Civil Rights Act of 1968](#) is the primary federal law banning discrimination in housing accommodation because of race, religion, color, national origin, sex, disability, or familial status. Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color and national origin in federally assisted housing programs. Housing and Community Development Act of 1974 prohibits discrimination on the basis of race, color, national origin and sex in federally assisted community development activities.

In addition, the federal Americans with Disabilities Act (ADA, Public Law 101-336) also protects persons with disabilities from exclusion from participation in or denied benefits of services, programs, or activities of a public entity, or be subjected to discrimination by any such entity. The City of Berkeley requires all new housing and rehabilitated existing housing to be ADA-compliant.

[Fair Employment and Housing Act](#), which includes the California Fair Housing Law (often called the "Rumford Fair Housing Act"), is the primary state law banning discrimination in housing accommodations because of race, color, religion, sex, marital status, national origin, ancestry, disability and familial status. Unruh Civil Rights Act of 1959 provides for the right to be free from discrimination in public accommodations. This Act has been interpreted by the courts to prohibit arbitrary discrimination by business establishments on any basis other than economic status such as level of income.

Adapted from the ECHO and City of Berkeley websites.

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