

## How can I protect myself from housing discrimination?

Call before visiting a rental property. Get as much information as possible and write it down: names, dates, addresses, terms, deposit, etc. Bring a friend with you as a witness when you visit the property, and compare the information you are provided in person with what you were told over the phone. You may suspect discrimination when the story you are told in person is different than the information given on the phone.

## What are some signs of possible discrimination?

- A “for rent” or “for sale” sign is still up after you are told that the unit is rented or sold.
- The landlord takes your application and says you’ll be called after references are checked, but you are not contacted.
- The landlord refuses to accept a deposit, or requires an outrageous amount for the deposit.
- You are told the apartment has just been rented.

## Are there some typical statements that may be a sign of discrimination?

- “I rented the apartment after you called.”
- “The seller decided to take the house off the market.”
- “Do you think you can afford this neighborhood?”
- “We just can’t seem to get you an appointment to see the property.”
- “There is a problem with the appraisal.”
- “We don’t make loans under \$30,000.”

## Are there statements a landlord might say that suggest possible discrimination based on national origin?

- “We only take people who speak English. Otherwise we can’t communicate with them.”
- “Because you’re not American, we need to see additional identification.”

## What should I do if I think I’ve been a victim of housing discrimination?

You may want to begin by calling Metro – the Metropolitan Human Relations Commission – to discuss your situation and be sure you understand your rights. We can help you determine if you want to file a formal complaint.

## How do I file a complaint?

A complaint must be filed with Metro either by personal delivery or by mail. Fair housing law requires that your complaint be filed within one year of the alleged discrimination.

To begin the complaint process you’ll need to fill out an intake information sheet. You can download that form from our website, or request a copy from the Metro office. Once submitted, your information will be assigned to a member of the Metro staff who will conduct an intake interview with you.

The intake interview will collect the information regarding the alleged discriminatory act(s). Once all of the relevant information is gathered from you as required to meet minimum legal standards, Metro staff will draft a formal complaint and send it to the person or company for their response. Respondents are required to submit a written answer to the complaint within 10 days.

## Is this the same as suing someone? Do I need a lawyer?

No, this is an administrative process and by filing a complaint of discrimination you are NOT filing a lawsuit. You are welcome to hire an attorney to represent you, but it is not required, and Metro staff will not recommend attorneys or render advice.

Metro staff acts as a neutral third party during all phases of a complaint and investigation. We can assist parties in resolving a complaint before or after an investigation, if the parties choose.

## What is Metro?

Fort Wayne Metropolitan Human Relations Commission, or Metro, is a law-enforcement agency. We enforce civil rights laws in the City of Fort Wayne. These laws prohibit discrimination in housing, employment, schools and places of public accommodation.

Our investigators act as neutral fact-finders during investigations. Metro also provides for mediation before, during or after an investigation. The purpose of investigations and mediations is to prevent or correct alleged discriminatory actions towards the citizens of Fort Wayne.



### Metropolitan Human Relations Commission

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This message supported by funding from a Cooperative Agreement with the U.S. Department of Housing & Urban Development.

# Fair housing is everyone's right.



**A guide for Fort Wayne residents to your rights and responsibilities under federal and local fair housing laws.**

# What is fair housing?

You have the right to live anywhere you choose and can afford. In addition, you have the right to the equal use and enjoyment of your home or apartment as all other persons living in your neighborhood or apartment complex.

## What is housing discrimination?

Any housing decision, restriction or terms that are based on your race, color, national origin, disability or familial status is discrimination. These are considered protected classes under the Fair Housing Act. Housing discrimination is prohibited by the federal, state and local laws.

## Can you give me some examples of housing discrimination?

The Fair Housing Act makes it illegal to:

- Refuse to sell or rent, or tell someone that a property is not available when it is, because of a person's protected class.
- Discriminate in the terms and conditions of a sale or rental because of a person's protected class.
- Make a statement verbally or in writing that indicates any preference, limitation or discrimination based on a person's protected class.
- Fail to provide reasonable accommodations to a person with a disability, refusing to allow a resident with disabilities to make reasonable modifications, or failing to meet access requirements.
- Deny a service/assist animal to a tenant who provides proper documentation.
- To ask a person with a disability questions about their disability such as "Why are you getting SSI?" or "Can I see your medical records?" or "What does your service/assist animal do for you?"
- Evict a tenant or otherwise deny them housing because that person has been a victim of domestic violence.
- Threaten or interfere with a person who asserts fair housing rights or has been a witness in a fair housing investigation.

## Are immigrants protected by fair housing laws?

Yes! Everyone is protected by the Fair Housing Act, regardless of his or her immigration status. It is unlawful to discriminate based on national origin. That includes a person's birthplace, ancestry, culture or language, if your family is from another country, if your name or accent is associated with a national origin, or if you participate in certain customs.

## What are some examples of illegal housing discrimination against immigrants?

- A landlord cannot ask for additional identification documents different from what they request of all individuals. Asking a prospective tenant to document his or her citizenship or immigration status is not itself unlawful, but picking and choosing who is asked for these documents is illegal discrimination.
- It is illegal to place targeted ethnicities such as Burmese or Hispanic persons in certain parts of an apartment complex or neighborhood.
- A landlord cannot refuse to make repairs or charge for repairs for which other tenants are not charged.
- It is unlawful to threaten to report a person to U.S. Immigration & Customs Enforcement (ICE) if they report housing discrimination under the Federal Housing Act.

## What about disabled persons?

You are protected under the law if you or someone associated with you has a physical or mental impairment that substantially limits one or more major life activities. This can include but is not limited to hearing, mobility and visual impairments; cancer; chronic mental illness, including depression; AIDS/HIV; intellectual disability; and alcoholism or past drug use.

## What accommodations is a landlord required to make for persons with disabilities?

- A housing provider must make reasonable accommodations for a disabled person to use the housing on an equal basis with non-disabled persons. For example:
- Allowing a service or companion animal, despite a "no pet" policy
- Providing a reserved parking place
- Allowing a live-in aid
- Allowing a tenant to move to a more accessible unit without charging a fee.

## Can I make modifications to my housing for my disability?

Yes, a housing provider must let disabled persons make reasonable modifications, but those are typically at the expense of the tenant. The landlord can also ask that the tenant return their unit to its original pre-modification condition when they move out. Examples of reasonable modifications can include:

- Widening doorways
- Installing grab bars in the bathroom
- Installing a ramp

## I'm a victim of domestic violence. How does that affect my housing options?

Survivors of domestic violence are protected under a variety of laws including the Fair Housing Act, Violence Against Women Act, and both Indiana and Fort Wayne laws.

## What are some examples of illegal housing discrimination against survivors of domestic violence?

- Refusing to rent to you because "battered women always go back to the men who abuse them."
- Being evicted because you called the police on multiple occasions when your boyfriend or spouse was threatening or harming you (so-called "Zero tolerance policy").
- Being evicted because an incident of noise or damage resulting from violence against you.

## Are LGBTQ persons protected from housing discrimination?

Discrimination based on sexual orientation, sexual identity or transgender status may be illegal based on gender. For instance, denying housing to two individuals of the same gender because they are a couple may be a form of gender discrimination because the denial is based on gender stereotypes that same-gender persons should not be in a relationship.