



Florida Fair Housing Act

**UNDERSTANDING
DISCRIMINATION**

FHA Presentation Agenda

- Introducing the Commission
- The Fair Housing Act
- Defining Fair Housing
- The Protected Classes
- Types of Housing NOT covered by the Act
- Prohibited Conduct
- Filing a Complaint
- Avoiding Discriminatory Practices



Florida Fair Housing Act



- The Florida Fair Housing Act is “substantially equivalent” to the Federal Act which is known as Title VIII of the Civil Rights Act of 1968
- The Act covers any dwelling which is used as a residence and any vacant land offered for sale or lease for the construction or location thereon of a residence.

Defining Fair Housing

- The right of every person to obtain the housing of their choice without it being limited by their protected class



The Protected Classes

Both the Florida and Federal Acts make it illegal to **discriminate** in **any type of housing related transaction** on the basis of:

- Race
- Color
- National origin
- Religion
- Sex
- Handicap (disability)
- Familial Status (including children under the age of 18 living with parents or legal custodians, pregnant women, and people securing custody of children under the age of 18.



What type of housing is not covered by the Act?



- 1) Any single family house sold or rented by a private individual owner, provided:
 - a) Such owner does not own more than 3 single family homes at any one time; and
 - b) Provided the house is sold or rented without the use of a real estate broker; and
 - c) Without the publication, posting, or mailing of a discriminatory advertisement or notice

What type of housing is not covered by the Act? (cont'd)



- 2) Buildings of 4 or less units where the owner lives in one of the units
- 3) Non-commercial Housing operated by religious organizations and private clubs that limit occupancy solely to members, as long as membership does not depend on race
- 4) Qualified senior communities are exempt from the **familial status** provisions

What Conduct is Prohibited?



- To refuse to sell or rent a dwelling
- To refuse to negotiate for the sale or rental of a dwelling
- To otherwise make a dwelling unavailable
- To offer different terms, conditions, or privileges of a sale or rental
- To make, print, or publish discriminatory statements, notices or advertising
- To misrepresent that a dwelling is not available for inspection, sale, or rental

What Conduct is Prohibited? (cont'd)



- To steer an individual to a particular neighborhood or section of a community
- To induce a person to sell or rent by stating that people of a different protected class are moving into the neighborhood (blockbusting)
- To fail to make reasonable accommodations or modifications for a disabled person
- To deny a person access to multiple-listing service, real estate brokers' organization or other service
- To retaliate against a person because they filed a discrimination complaint
- To coerce, intimidate, threaten, or interfere with any person seeking to enjoy any right protected under the Act.

How FCHR Receives Complaints

- The Department of Housing and Urban Development (HUD).
- Fair Housing Initiative Program (FHIP) Agency Initiated – Testing
- Phone
- Mail
- Internet
- In-Person



What happens when a complaint is filed?



- Any person who claims to have been injured by a discriminatory housing practice may file a complaint with the Commission within 1 year of the alleged discrimination.
- The Commission will attempt to resolve the complaint through conciliation or will investigate

Ways to Avoid Discrimination

- Be Consistent!
 - Make sure that all reasons for denying an applicant are kept on file
 - Request the same information of every applicant
 - Inform each applicant in the same way
 - Make certain that all lease violations are documented for each resident
 - Keep detailed records
 - Make sure that your staff is well-informed of the Fair Housing Act and the different types of discrimination





CONTACT US

HOW TO REACH US



**4075 Esplanade Way, Room 110
Tallahassee, FL 32399**



**Voice Callers: (850) 488-7082
(800) 955-8770**

TDD ASCII Callers: (800) 955-1339

TDD Baudot Callers: (800) 955-8771



Website: <http://fchr.state.fl.us>

Email: fchrinfo@myflorida.com





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YOU!**

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