

The Fair Housing Act and Your Co-op

Federally Protected Classes Under the US Fair Housing Act:

Race & Color

Race includes personal characteristics like hair texture, skin color, and facial features. Color discrimination may



occur in people of various races or ethnicity and includes pigmentation, complexion, skin shade, tone, lightness, darkness, and color characteristic.



Nationality

This class protects people from other countries or parts of the world.



Ethnicity, accent, or the appearance of being of a certain ethnic background is also included.

Sex

This class protects against discrimination on the basis of sex including sexual harassment. Gender identity is not protected at the federal level, but may be protected at the state or local level in your area.



Family Status

This class protects prospects and tenants who have children under the age of 18, are pregnant, or are in the process of adopting a child. This may also include family members of any age who require care.



Disability

Includes individuals with mental or physical impairments that substantially limit one or more major life activities.



The term mental or physical impairment may include conditions such as blindness, hearing impairment, mobility impairment, HIV infection, intellectual disabilities, alcoholism, drug addiction, chronic fatigue, learning disability, head injury, and mental illness.

Religion

This class protects individuals who belong to traditional and organized religions like Buddhism, Christianity, and Hinduism, and also those who have other religious, ethical, or moral beliefs



Examples of How Housing Discrimination May Appear in Your Co-op:

- Considering any of the above as a factor in a membership decision
- Not technically basing a decision on the above, but spending a significant amount of time talking about those during the discussion
- Offering membership on different terms than other members have or than policies call for on the basis on a protected class
- Falsely denying that a room is available
- Unequally enforcing policies
- Expressing a preference on the basis of a protected class in your policies, ads, tours, or meetings

Check to see if your state or local laws offer additional fair housing rights. The interpretations of these laws are determined in court cases and may evolve over time.