

# Fair Housing Protections for Survivors of Domestic Violence



## 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 homeowner's 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.



## Federal and state laws protect survivors of domestic violence from discrimination

**Violence Against Women Act (VAWA):** VAWA is a federal law that protects victims who receive public housing assistance such as Section 8 Project-Based housing or Section 8 Housing Choice Voucher assistance.

VAWA prohibits the Public Housing Authority and public housing providers or landlords from denying an application for assistance or evicting a tenant for reasons that are directly related to their abuse. VAWA also provides additional protections for victims that receive housing assistance such as emergency transfers and lease bifurcation.

**The Fair Housing Act (FHA):** The FHA protects against discrimination based on sex, which some courts believe applies to victims of domestic violence because the majority of victims are women. The FHA covers most housing providers including landlords of privately owned residences.

**The Ohio Revised Code (ORC):** Like the FHA, the ORC protects against discrimination based on sex, which may include victims of domestic violence. The ORC covers all housing providers, including landlords of privately owned residents.



## Is this housing discrimination?

- Jane rented a unit with a Section 8 voucher. Jane’s ex-boyfriend came over to the unit on multiple occasions. The Public Housing Authority claimed that Jane allowed her boyfriend to live with her and initiated voucher termination proceedings alleging that Jane allowed her former boyfriend to reside with her. **Yes!**
- Kathy lived in private rental housing, operated by a national property management company, with her daughter and fiancé. After moving into the unit, Kath’s fiancé became abusive. When she attempted to remove her fiancé from the unit, he threatened to kill her and himself. Kathy called the police, had her fiancé arrested, and pressed charges. She informed management that she wanted to remove him from the lease. A few days later, Kathy was served with an eviction notice. **Yes!**
- Tammy, who lived in a low-income tax credit (LIHTC) property, had a Civil Protection Order against her ex-boyfriend. On one occasion, the ex-boyfriend came over to Tammy’s house, kicked in the door, and broke her window. The property management company evicted Tammy for violating her lease because it stated that her failure to properly supervise a guest led to property damage. **Yes!**



## Fair housing is your right! Use it.

If you believe your rights have been violated:

- File an Administrative Complaint with HUD at [www.hud.gov/fairhousing](http://www.hud.gov/fairhousing).
- File an Administrative Complaint with the Ohio Civil Rights Commission at [www.ocrc.ohio.gov](http://www.ocrc.ohio.gov).
- Contact SEOLS to discuss your claims under the federal Fair Housing Act and Ohio law.

**The information on this flyer is not legal advice.**

**If you are seeking representation or legal advice, please contact SEOLS.**

**An attorney-client relationship does not exist between you and SEOLS.**

### How to contact SEOLS:

**Athens Office**      **740.594.3558**  
**800.686.3669**

Serving Athens, Gallia, Meigs, Morgan, Noble, Vinton, and Washington Counties

**Chillicothe Office**      **740.773.0012**  
**800.686.3668**

Serving Fairfield, Fayette, Hocking, Jackson, Pickaway, Pike, and Ross Counties

**Marion Office**      **740.383.2161**  
**888.301.2411**

Serving Delaware, Marion, Morrow, and Union counties.

**Newark Office**      **740.345.0850**  
**888.831.9412**

Serving Knox, Licking, Muskingum, and Perry Counties

**New Philadelphia Office**      **330.339.3998**  
**800.686.3670**

Serving Coshocton, Guernsey, Holmes, and Tuscarawas Counties

**Portsmouth Office**      **740.354.7563**  
**800.837.2508**

Serving Adams, Lawrence, and Scioto Counties

**Steubenville Office**      **740.283.4781**  
**800.837.4781**

Serving Belmont, Carroll, Harrison, Jefferson, and Monroe Counties

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