

## WHAT ELSE IS COVERED UNDER THE FAIR HOUSING ACT?

Home mortgages and housing-related transactions are covered. No one may do any of the following because of race, color, religion, national origin, sex, disability, or familial status of the applicant:

- Refuse to provide information regarding loans.
- Provide inaccurate or incomplete information.
- Refuse to make a loan to a qualified applicant.
- Impose different terms or conditions on a loan, such as a different interest rate, points, or fees unrelated to credit history.
- Discriminate in appraising property.
- Refuse to issue a homeowner's or renter's insurance policy.

It is also a violation to fail to design and construct public and private multi-family housing with four or more units in an accessible manner. This applies to buildings designed and constructed for first occupancy after March 13, 1991.



For more information contact us at High Plains Fair Housing Center or contact HUD:

**1-800-669-9777**

**1-800-927-9275 (TTY)**

**[www.HUD.gov/fairhousing](http://www.HUD.gov/fairhousing)**



Find us at:

**[www.highplainsfhc.org](http://www.highplainsfhc.org)**

**High Plains Fair Housing Center**

**P.O. Box 5222**

**Grand Forks, ND 58206**

**[info@highplainsfhc.org](mailto:info@highplainsfhc.org)**

**701-792-2878**

**866-380-2738**

The work that provided the basis for this publication was supported by funding under a grant with the U.S. Department of Housing and Urban Development. The substance and findings of the work are dedicated to the public. The author and publisher are solely responsible for the accuracy of the statements and interpretations contained in this publication. Such interpretations do not necessarily reflect the views of the Federal Government. Nothing on this document is legal advice. For legal advice, please contact an attorney.

Information in this brochure received from:  
[https://www.hud.gov/program\\_offices/fair\\_housing\\_equal\\_opp/housing\\_discrimination\\_and\\_persons\\_identifying\\_lgbtq](https://www.hud.gov/program_offices/fair_housing_equal_opp/housing_discrimination_and_persons_identifying_lgbtq)

FAIR HOUSING RIGHTS  
OF PERSONS  
IDENTIFYING AS  
LESBIAN, GAY,  
BISEXUAL,  
TRANSGENDER,  
QUEER/QUESTIONING,  
INTERSEX, AND/OR  
ASEXUAL (LGBTQIA+)



## KNOW YOUR RIGHTS

It is prohibited under the Fair Housing Act for any landlord or housing provider to discriminate against LGBTQIA+ persons because of their actual or perceived sexual orientation or gender identity or for any other reason that constitutes sex-based discrimination.

## 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. North Dakota also has protections for receipt of public assistance, age (over 40), and marital status.

The Fair Housing Act applies to various housing transactions, including rentals, sales, home mortgages, appraisals, and homeowners insurance. Landlords, real estate agents, lenders, insurance companies, and condominium, cooperative, and homeowner associations must not discriminate because of one's membership in a protected class.

**Persons who identify as LGBTQIA+ are also protected from housing discrimination that may occur because of, or in addition to, other characteristics protected by the Fair Housing Act, e.g., race, national origin, color, religion, disability, and familial status. Examples include:**

- It is unlawful for a landlord or housing provider of a covered dwelling to deny housing because of actual or perceived HIV/AIDS status.
- A housing provider may not refuse to rent to an otherwise qualified LGBTQIA+ family with children under age 18.



### EXAMPLES OF HOUSING DISCRIMINATION BECAUSE OF SEX, WHICH INCLUDES ACTUAL OR PERCEIVED GENDER IDENTITY AND SEXUAL ORIENTATION:

- A realtor refuses to show houses listed for sale to a potential buyer because the buyer is transgender.
- A housing provider refuses to rent a house to a same-sex couple because of their "family composition."
- A maintenance worker employed by a housing provider subjects a female tenant to pervasive harassment because she is a lesbian.
- A tenant is evicted after the housing provider discovers the tenant has dated persons of the same sex and identifies as bisexual.
- A same-sex couple asks a realtor to see rental units throughout the city but is only shown rental units in a part of the city known for having many LGBTQIA+ residents.
- A building manager refuses to authorize repairs to a tenant's unit after observing the tenant's teenage daughter holding hands with her girlfriend. The manager explained that he does not agree with the teenager's "homosexual lifestyle" and that the tenant will need to make the repairs himself.
- The leasing manager at a 55+ community rejected a male tenant's request to add his same-sex partner to his lease stating, in writing, that the community only accepts married couples in unions between "one man and one woman."

## ADDITIONAL PROTECTIONS: HUD'S EQUAL ACCESS RULE

HUD's Equal Access Rule requires equal access to HUD housing programs without regard to a person's actual or perceived sexual orientation, gender identity, or marital status. Housing providers that receive HUD funding or that provide housing subject to HUD-insured mortgages, and lenders that make such loans, must comply with the Rule.



- It is prohibited for any lender to deny a HUD-insured mortgage to any qualified applicant based on their actual or perceived sexual orientation, gender identity, or marital status.
- Under the Equal Access Rule, HUD-funded homeless providers must place clients in a shelter or facility that corresponds to the gender with which the person identifies, taking health and safety concerns into consideration. Providers must also ensure that their policies do not isolate or segregate clients based upon gender identity.

**Housing discrimination is against the law. One way to stop discrimination is to report it.**