

FAIR HOUSING AND COMMUNITY DEVELOPMENT WEEK WEBINAR

PRESENTED BY:
EL PASO COUNTY
THE CITY OF FOUNTAIN

Fair Housing and Accessibility

Disclaimer

This presentation is not intended to provide legal advice in any way. This presentation is intended to give information only. Specific legal questions should be asked of a fair housing professional or attorney.

Fair Housing Basics

You cannot be discriminated against for:

- Race/Ancestry
- Color
- Religion/Creed
- National Origin
- Disability
- Marital/Family Status
- Age
- Gender
- Sexual Orientation
- Source of Income*

It is illegal to retaliate against someone for filing a complaint
(including sexual harassment)

Fair Housing Basics

Factors that are not covered by
the Fair Housing Act:

- Smoking
- Past Evictions
- Criminal History
- Active Users of
Illegal Substances

Persons who are on a sex offender registry or charged with making meth can be banned from Federal Housing Programs

Fair Housing Basics

How discrimination occurs:

- Application rejection
- Lying about availability
- Advertising
- Refusal to make reasonable accommodations/modifications
- Steering applicants toward certain units

Examples of Discrimination

- “Adults only”
- “Ideal for able-bodied tenants”
- “Foreign Nationals have to pay a higher deposit”
- “English Speakers Only”
- “Seeking a clean Catholic tenant”

- **Exception: Senior Housing**

- Property can be “adults only” or refuse families with children.

Examples of Discrimination



**DISCRIMINATION IS RARELY THIS OBVIOUS,
BUT IT'S JUST AS REAL. AND JUST AS ILLEGAL.**

If the landlord gives you the runaround or says:

"We don't take kids."

"The apartment you asked about on the phone has been rented."

"We only take people who speak English clearly."

"We don't take teenagers."

"The ad was wrong – the rent is really \$50 more."

"I can't assign you a handicap parking space."

Do I Have an ADA Disability?

STEP ONE:

The disability must limit:

- Speaking
- Concentrating
- Walking
- Reading
- Lifting
- Hearing
- Seeing
- Standing
- Working

STEP TWO:

The person must have a record of having a disability. This step also protects people who previously have had a disability.

Understanding Disabilities

- A disability may not be obvious
 - Heart Disease, Chronic Fatigue Syndrome, PTSD
- A disability does not necessarily need an assistive device
 - Walking Cane, Hearing Aid
- Recovering from addiction is considered a disability
- A person who is discriminated against because they are “perceived” to have a disability may still file a housing complaint, regardless of their actual disability status.

Be Reasonable!

Reasonable Accommodation

- Policies or procedures are altered to accommodate a disability

Examples:

- Waiving a no pet policy
- Meeting a tenant in an accessible office
- Presenting property rules in simpler terms

Reasonable Modification

- The property itself is modified to work with a disabled person's needs

Examples:

- No-Slip grips on floors
- Automatic shut-off faucets
- Braille or color-coded signs
- Flashing light smoke alarms

Assistance Animals

- Service Animals
 - Dogs who perform tasks related to a disability
 - There is no federal certification for service animals:
 - Your service animal must be trained to work for your benefit
 - You must have a documented disability that is aided by the service animal
 - Vests and ID Cards may look nice but are not required.



Assistance Animals

- Emotional Support Animals (ESA)
 - Any type of animal that provides therapeutic effect to alleviate mental impairment.
- Handlers are still required to pick up after their animals in common areas
- Animals must follow the rental property rules
 - i.e., can't be aggressive to other animals or people

Eviction Protection

- Emergency Rental Assistance Program
 - State-run rental assistance program for Colorado citizens
 - Over \$200 million received from the federal government
 - To prevent housing instability, potential eviction, and financial hardships for tenants and landlords
- ERAP Webinar 4/9/21 at 1:00 PM
 - Email ericleonard@elpasoco.com to register



**EQUAL HOUSING
OPPORTUNITY**



Assert Your Rights

If you suspect you have been a victim of fair housing discrimination, there are resources available to you

Fair Housing Contact Info:

Denver Regional HUD Office

- (303) 672-5151
- Fair Housing Information

Denver FHEO Center

- (303) 672-5155
- Fair Housing Complaints

Colorado Civil Rights Division

- (303) 894-2997
- For all discrimination issues in housing, employment, and public accommodations

Fair Housing Contact Info:

HUD National Office

- (800) 669-9777
- TTY (800) 927-9275
- Housing Choice Voucher Complaint: (800) 955-2232
- File Fair Housing complaints online or by phone

The Independence Center

- (719) 471-8181
- Advocacy/Resources for persons with disabilities

Fair Housing Contact Info:

Denver Metro Fair Housing Center

- (720) 279-4291
- www.dmfhc.org
- Website available in multiple languages

Colorado Housing Connects

- (844) 926-6632
- A housing navigator will connect you with a fair housing investigator or HUD-approved housing counselor to discuss your situation

Housing Resources Page

- A thorough list of community partners throughout El Paso County
- Everything from Rent/Utility Assistance to Transitional Housing to Senior Housing
- Access the resources here:
 - <https://admin.elpasoco.com/economic-development/housing-resources/>

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