

# Idaho Legal Aid Services, Inc.

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## How to Handle a Fair Housing Complaint <sup>[1]</sup>

- If you have an attorney, notify your attorney of the complaint.
- Collect and review the documents pertinent to the complaint and make a list of potential witnesses to the incident in question.
  - It is a good idea to keep records on all prospective, current, and past residents. You should also have a written screening policy and documentation showing that policy is uniformly and consistently applied to each applicant.
- Weigh the merits of the complaint based on your or your attorney's review of the facts and relevant law
- Ensure that you respond to the complaint, in writing, within the time period specified.
  - If you need additional time, contact U.S. Housing and Urban Development (HUD), to request more time to respond.
- Respond to conciliation offers in a timely manner: You can choose to either accept the offer, make a counter-offer, or reject the offer.
- Keep in mind that the investigator is impartial and best results are achieved by being cooperative with the investigator.
- HUD may make a formal request for additional information – respond to such requests fully and in a timely manner.
  - Do not withhold information, as HUD has the authority to subpoena to obtain information, if needed
  - Provide the investigator with contact information for additional witnesses if you know of other persons with knowledge relevant to the complaint.
- The case will be resolved in one of three ways:
  - Conciliation agreement. Make sure you comply with the terms of the agreement.
  - If HUD finds "no reasonable cause," the complaint will be dismissed.
  - If HUD finds reasonable cause exists to believe that a discriminatory housing practice has taken place, HUD will issue a charge of discrimination and schedule a hearing before a HUD administrative law judge (ALJ).
    - Either party may elect to proceed in federal court.
- After the case is closed, you have the right to obtain a copy of HUD's report, usually at your own expense.
- Know your rights during an investigation: To have your designated legal representative present; to be provided a fair, unbiased, and timely investigation; to be kept informed; and

to be offered a conciliatory process.

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 [How\\_to\\_Handle\\_a\\_Fair\\_Housing\\_Complaint.pdf](#) [2]

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