

EXAMPLES OF FAMILIAL STATUS DISCRIMINATION

- Refusing to rent to a family because they have children.
- Steering families away from living somewhere, such as refusing to rent apartments with balconies to any families with young children.
- Restricting children from using facilities or services, such as not allowing children in a community pool. But landlords can have restrictions that are for safety.
- Implementing rules that only target children, such as a curfew for kids under 18 or a rule against "noisy children."
- Placing unreasonable restrictions on the number of people who can reside in a rental. (If you have been denied housing because of the number of people in your family, contact Idaho Legal Aid to get more information about occupancy limits.)



WANT ADVICE OR INFORMATION ABOUT THE FAIR HOUSING ACT?

Talk to a lawyer for **free** by calling Idaho Legal Aid's Housing Advice Line at **208-746-7541** (for TRS, dial 7-1-1) Mon-Fri 10 am to 3:30 pm MST.

For testing, call Intermountain Fair Housing Council: 208-383-0695 or 1-800-717-0695.

NEED TO FILE A FAIR HOUSING ACT COMPLAINT?

Contact HUD at 1-800-669-9777 or 1-800-927-9275 (TTY) or visit hud.gov/fairhousing

For more information about your

Fair Housing Act rights:

hud.gov/fairhousing

idaholegalaid.org

ihfcidaho.org

208-746-7541

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Fair Housing: Familial Status



Idaho Legal Aid Services, Inc.

THE FAIR HOUSING ACT

The Fair Housing Act prohibits discrimination in the sale and rental of housing based on a person's: Race, Color, Sex, Religion, National Origin, Disability, or Familial Status. The Fair Housing Act was passed as part of the Civil Rights Act of 1968.

The Fair Housing Act can apply to advertising, landlords, property managers, homeowners, HOA's, real estate agents, banks/lenders, and others.

The Fair Housing Act prohibits discrimination based on protected classes, such as: refusing to rent to someone because of their race, telling someone a unit is not available because of their religion, evicting someone because they are disabled and have requested a reasonable accommodation, or having a different rental application process for families with children.



For more information, visit [hud.gov](https://www.hud.gov)

FAMILIAL STATUS

The Fair Housing Act protects families from housing discrimination. Families are defined to include any person under 18 living with a parent (or person with custody), pregnant women, and people in the process of adopting. Housing for Older Persons (HOPA) that meets all statutory requirements and HUD verification rules is exempt.

Families with children cannot be segregated (e.g., putting all families with children in one part of a property). They also cannot be steered away from certain units. Families with children cannot be required to pay a special security deposit. If a landlord has rules that apply only to children, they must be related to a legitimate safety

concern & must be the least restrictive option to accomplish the safety goal. Unreasonable restrictions on the number of people in a home may constitute familial status discrimination. HUD's Keating Memo states two persons per bedroom is presumed reasonable but factors like the size/layout of the home & ages of the children must also be considered.

