

HOW TO HANDLE A FAIR HOUSING COMPLAINT

- 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.
- *See the back of this handout for a list of available resources*

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Resources for Housing Providers

U.S. Department of Housing and Urban Development (HUD):

http://portal.hud.gov/hudportal/HUD?src=/program_offices/fair_housing_equal_opp/HousingProviders

Idaho Legal Aid Services Fair Housing/Fair Lending Hotline: (208) 345-0106 in Boise or 1-866-345-0106 (toll free) or 1-800-245-7573 (TTY) or find information online at www.idaholegalaid.org

Intermountain Fair Housing Council: (208) 383-0695 in Boise or 1-800-717-0695 (toll-free)

Idaho Fair Housing Forum: www.fairhousingforum.org