



THINK YOU'VE EXPERIENCED **HOUSING** **DISCRIMINATION?**

Fair housing laws protect you if you are discriminated against because you are a member of a **legally-protected class**.

The Fair Housing Act prohibits discrimination against you in any housing-related transaction based on your:

- Race
- Color
- Disability (Under the Fair Housing Act, housing providers must allow reasonable accommodations and modifications for individuals with disabilities.)
- Sex (Includes sexual orientation and gender identity.)
- Religion
- National Origin
- Familial Status (The presence of children under 18 in a household, pregnant women, or anyone in the process of adopting or securing legal custody of a child.)

In addition, the Pennsylvania Human Relations Act adds two more protected classes:

- People over 40
- Users, Handlers, and Trainers of Assistance Animals for People with Disabilities

Local ordinances may offer more protection in some municipalities.

Remember that the burden of proof is on YOU.

You need to *prove that discriminatory action was taken against you*. You also need to prove that it happened because you are a member of a protected class.

The first thing you should do is preserve any evidence of housing discrimination.

- Save everything that contains discriminatory statements or shows discriminatory treatment. (For example, save text messages, emails, and voicemails.)
- Create a timeline of events. Include dates and times. (For example, when did you first inquire about housing? When did you apply and move in? When did the discriminatory conduct occur?)
- Write a detailed account of what happened.
- Make a list of any witnesses and include their contact information (address, email, and phone number). Witnesses can be family members, friends, coworkers, neighbors, doctors, social workers, etc. Make notes of what you think each person will say about what happened or about the damages you suffered.
- If the property was advertised for sale or rent, save a copy of the ad by taking a photo of the entire ad or printing it out.
- Try to find out the name of the person you believe discriminated against you. If you do not have a name, write a description of the person and any identifying characteristics (age, sex, race, height, hair color, etc.). If applicable, write down the name of the property owner, landlord, real estate agent, mortgage lender, insurance provider, homeowner, or condo association.
- Write down the property address.
- If a housing program was involved in the discrimination, write down the program name. Also write down the names of people you dealt with.

Document any damages you incurred as a result of the discriminatory incident. Also, keep any receipts or written proof associated with any monetary expenses. These may include:

- Moving expenses
- Furniture storage costs
- Temporary housing costs
- Additional sales or rental deposits
- Additional loan or rental application fees
- The increased cost of rent or mortgage payment
- The time you took off from work (hours and dates)
- Travel costs that increased due to having to commute farther
- Medical care or counseling—keep track of any doctor appointments and their cost
- If you experienced increased frustration, impatience, sleeplessness, or emotional stress, provide witnesses who can testify to your condition
- Attorney's fees—you can be reimbursed if you prevail in your fair housing complaint

How We Can Help

The Housing Equality Center of Pennsylvania can help you evaluate the strength of your case. We can also let you know what to expect from the complaint process.

We will ask you questions to help determine the strength of your case. For example, how convincing is your evidence? Do you have witnesses or proof of discrimination in written form? How much harm have you suffered? What are your goals in pursuing a complaint against the housing provider?

Know that filing a complaint may not stop an eviction or fix any other immediate housing problem. You will need to be patient during the complaint process. You will have to produce a statement along with any evidence that you have. Then you will be interviewed by attorneys or investigators. You may need to attend meetings to discuss the case and possible settlements. Seeking justice and stopping housing discrimination from reoccurring requires a commitment of your time and energy.

Options for Addressing Housing Discrimination

Contact the HECP for help figuring out the best course of action for your situation. We are here to provide information on your rights and what types of housing issues may be illegal discrimination.

HECP will make a confidential record of your complaint. We can also talk to you about your options for the enforcement of your rights. And, we may be able to conduct an investigation to see if housing discrimination is occurring. Additionally, HECP can help determine your odds of success in filing a formal complaint.

HECP may recommend one of the following formal enforcement actions:

1. Filing a complaint of discrimination with the U.S. Department of Housing and Urban Development's Office of Fair Housing and Equal Opportunity (HUD). You must file this complaint within one year of the date of the discriminatory incident.
2. Filing a formal complaint with the Pennsylvania Human Relations Commission (PHRC). You must file this complaint within 180 days of the discriminatory incident.
3. Filing a lawsuit in federal or state court. You must file your lawsuit within two years of the discriminatory incident.

Do I need a lawyer?

Filing an administrative complaint with HUD or PHRC does not require an attorney. But if you wish to file a lawsuit in federal or state court, you will need an attorney. Attorneys can be invaluable in presenting your case and negotiating settlements. Legal aid attorneys may be able to help you if you are low-income. Some attorneys are willing to take cases "on contingency." That means that they do not get paid upfront, but you agree to give the attorney a certain amount of any settlement money you recover.



REPORT DISCRIMINATION!

By reporting discrimination, you protect your right to housing and ensure that other people have access to housing on a non-discriminatory basis.

(866) 540-FAIR
(267) 419-8918

info@equalhousing.org
www.equalhousing.org



The **Housing Equality Center of Pennsylvania** is a nonprofit that assists individuals who have experienced discrimination in rental, sales, homeowners insurance, mortgage lending and other housing-related transactions. HECP provides fair housing counseling, testing investigations, and enforcement support services at no cost for victims of discrimination in Bucks, Chester, Delaware, Lehigh, Montgomery, Northampton and Philadelphia Counties in Pennsylvania.



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