



YOUR RIGHTS AND RESPONSIBILITIES

You may obtain a copy of the Utah Fair Housing Act by calling the Utah Office of Fair Housing, 801 530-6801 OR 1 800 222-238;TDD 801 530-7685.

HUD'S FAIR HOUSING GUIDELINES CAN BE FOUND HERE.

Provo City Redevelopment Agency and the Utah Valley HOME Consortium seek to ensure equal access to housing for all people through education.

GENERAL GUIDELINES

- » Even when illegal discriminatory actions are not intentional, they are still illegal.
- » If options are offered to one applicant and not to another based on their membership in a protected class, it is illegal discrimination.
- » If assumptions are made about potential tenants or clients – their ability to pay, about their likelihood of being “good” clients, about their potential for causing problems – based on their race, disability, nationality, accent, family size, etc. it is illegal discrimination.

HOW TO AVOID BREAKING THE LAW

- » Treat everyone alike.
- » Provide consistent and complete information to everyone.
- » Make decisions based only on objective criteria.
- » Do not make credit assumptions based on noncredit factors.
- » Adhere strictly to established policies and practices.

HOW NOT TO DISCRIMINATE

- » Know the law.
- » Understand your own cultural and personal bias.
- » Manage your own feelings about differences in others.
- » Learn about other cultures.
- » Learn to communicate effectively.

THE REAL ESTATE PROFESSIONAL

In a real estate transaction, agents, licensed brokers or salespersons are prohibited by law from discrimination based on membership in a protected class. A request from a home seller or landlord to act in a discriminatory manner in the sale, lease or rental cannot legally be fulfilled by the real estate professional.

THIS INCLUDES THE RIGHT TO EXPECT

- » Housing in their price range made available without discrimination;
- » Equal professional service;
- » The opportunity to consider a broad range of housing choices;
- » No discriminatory limitations on communities or housing choices;
- » No discrimination in the financing, appraising or insuring of housing;
- » Reasonable accommodations in rules, practices and procedures for persons with disabilities;
- » Nondiscriminatory terms and conditions for the sale, rental financing, or insuring of a dwelling; and
- » To be free from harassment or intimidation for exercising their fair housing rights.

Home seekers have the right to expect that housing will be available to them without discrimination or other limitations based on race, color, nationality, disability, familial status, sex or religion.

THE HOME SELLER OR LANDLORD

As a home seller or landlord, you have a responsibility and a requirement not to discriminate in the sale, rental and financing of property on the basis of race, color, nationality, disability, familial status, sex or religion. You cannot instruct the licensed broker or sales person acting as your agent to convey for you any limitations in the sale or rental, because the real estate professional is also bound by law not to discriminate.

REASONABLE ACCOMMODATION

It is unlawful for anyone to deny housing because of mental or physical disability, or a record of having had a mental or physical disability. Although landlords are not responsible for the cost, they must give permission to make physical changes to an apartment if you need them.

FAMILIAL STATUS

Families cannot be denied the housing of their choice simply because they have children. The law protects pregnant women, families with children (under the age of 18 years of age), adults serving as guardians for children, and those in process of obtaining legal custody of children.

EXCEPTIONS

Housing complexes designed for older persons can exclude families with children if the housing unit residents meet strict criteria: if everyone in the building is over 62 years of age; or if 80% of the units have at least one occupant over age 55 and the building provides significant facilities and services to meet the needs of older persons; or if the building is part of a federal or state program that provides housing for elderly people.

IF YOU BELIEVE YOU HAVE BEEN DISCRIMINATED AGAINST

- » Write down statements made during meetings and telephone calls with the landlord, property manager, real estate agent, loan officer or insurance agent.
- » Include the person's name, title (if known), where the incident took place (on the phone, in their office, etc.), the date and time of the occurrence.
- » Save all receipts, applications, business cards or other documents.
- » Obtain and complete a Housing Intake Questionnaire.
- » Submit the signed, notarized form to the Utah Fair Housing office at 160 East 300 South, Heber Wells Bldg., Salt Lake City, Utah.
- » Utah Law provides for a charge to be made within 180 days of the alleged discrimination.
- » There is no charge for filing a charge of housing discrimination.
- » Rights and Responsibilities of Property Owners and Lenders
- » A property owner or lending institution has the right and responsibility to:
- » Make legitimate inquiries as to whether or not a potential renter will be a responsible tenant, i.e., ask for references, verify income and check credit ratings.
- » Verify the prospective renter's income and ability to pay.
- » Treat all applicants equally.
- » Allow persons with physical disabilities to make alterations to the rental property at the renter's expense.
- » Advertise in a nondiscriminatory manner.

A PROPERTY OWNER OR LENDING INSTITUTION MAY NOT

- » Discriminate against a potential renter on the basis a person's race, color, sex, national origin, disability, religion or familial status.
- » Refuse to rent to a person because they are receiving government financial assistance, including housing supplements.
- » Set different terms, conditions or privileges for the sale or rental of a dwelling based on the applicant's race, color, sex, national origin, disability, religion or familial status.
- » Falsely deny that housing is available for inspection, sale or rental based on the above discriminatory factors.
- » Discriminate when appraising a property.
- » Retaliate against anyone who is exercising their right to fair housing, or who is assisting someone else in their exercise of those rights.

FAIR HOUSING RIGHTS ARE BEING VIOLATED WHEN A PERSON IS PREVENTED FROM THE FOLLOWING ACTIVITIES, BASED ON RACE, COLOR, NATIONAL ORIGIN, RELIGION, SEX, FAMILIAL STATUS, DISABILITY OR SOURCE OF INCOME

- » Viewing or renting an apartment.
- » Viewing or purchasing a home.
- » Applying for or securing a home loan.
- » Purchasing homeowners insurance.

One of the Privileges of living in the United States is the right to freely choose where you will live. Utah and Federal Fair Housing Acts protect your right to select housing without discrimination based on race, sex, familial status or your source of income.

IT IS UNLAWFUL TO

- » Refuse to rent, sell or negotiate for housing; or
- » Make housing unavailable or deny that housing is available; or
- » Set different terms, conditions or privileges for the sale or rental of housing based on race, color, national origin, familial status, disability, sex or religion; or
- » Deny or make different terms or conditions for a mortgage, home loan, homeowners insurance or other real estate related transaction.

WHAT HOUSING IS COVERED?

- » Single family homes owned by private persons when a real estate broker and/or discriminatory advertising is used to rent or sell the home;
- » Single family homes not owned by private persons (such as corporation or partnerships) even if a broker is not used to rent or sell the home;
- » Multifamily dwellings with five or more units, including rooming houses; and
- » Multifamily dwellings with four or less units, if the owner does not live in one of the units.

WHAT HOUSING IS NOT COVERED?

- » The law does not apply to noncommercial housing run by religious organizations and private clubs that limit occupancy solely to members.

The Housing Rehabilitation and Homeownership Programs comply with the lead-based paint regulation (24 CFR §570.608; 24 CFR 35) issued from the Department of Housing and Urban Development (HUD). The lead-based paint regulation will affect any home built prior to January 1, 1978.

Provo City Redevelopment Agency is notifying all applicants of the hazards related to lead-based paint by providing a copy of the pamphlet, "Protect Your Family From Lead In Your Home," developed by the United States Environmental Protection Agency (EPA), United States Consumer Product Safety Commission (CPSC), and United States Department of Housing and Urban Development (HUD).

You can download a copy of the Pamphlet in English or Spanish

LINKS TO THE HUD WEBSITE

HUD web: hud.gov

HUD Fair Housing complaint page: hud.gov/offices/ftheo/index

HUD Local: hud.gov/local/index.cfm?state=ut

HUD Local Rental info in Utah: hud.gov/local/index.cfm?state=ut&topic=renting