

## Coping with COVID-19

**Fair housing rights for those affected by the pandemic**

The federal Fair Housing Act protects rental housing applicants, tenants, homeowners and prospective homebuyers from discrimination based on race, color, religion, sex, national origin, family status or disability. This means that housing providers can't deny you housing or treat you differently because of any of these factors. State and local laws may provide additional rights.

During the coronavirus pandemic, these same rights may protect you from discrimination related to COVID-19.

**Under the Fair Housing Act, housing providers cannot:**

- Make an inquiry that requires you to disclose a disability, including asking if you have COVID-19 or have been exposed to the coronavirus, or if you've been tested for it
- Ask if you have a disability that makes you more likely to get COVID-19
- Deny you housing or evict you because you have, or have had, COVID-19, or because it is assumed that you are more likely to have it or contract it (for example, because you are a healthcare worker, or because you've been tested)
- Share your medical condition or disability with other renters
- Prohibit someone from entering your home to assist you with the necessary tasks of daily life (such as bathing, cooking or grocery shopping) because of your disability
- Discriminate against you based on your nationality (for example, deny you housing based on the inaccurate belief that people from China or Asia are responsible for the virus)

**Housing providers must:**

- Make reasonable accommodations (changes



or exceptions to their usual rules) that are needed if you have a disability (for example, allowing you to temporarily move into a private room in your assisted living home after you contract COVID-19, if one is available)

**Housing providers can:**

- Require that all residents and guests follow recommended or required public safety measures to prevent the spread of COVID-19, including social distancing and wearing face masks
- Tell neighbors that there has been a COVID-19 diagnosis on the property (but cannot disclose the name, apartment number or other information that would identify who is infected)
- Encourage tenants or applicants to voluntarily self-report that they have COVID-19 or have been exposed to the coronavirus (but can't *require* them to disclose the information)
- Request documentation that demonstrates that an accommodation is necessary for a medical condition or disability (but cannot request details of the diagnosis or disability)

# Filing a housing discrimination complaint

The U.S. Department of Housing and Urban Development (HUD) is the federal agency responsible for enforcing the Fair Housing Act. If you believe you have experienced housing discrimination, file a complaint with HUD's Office of Fair Housing and Equal Opportunity online, via email, by phone (800-669-9777/ TTY: 800-877-8339) or by mail. Get details, including links to multilingual complaint forms, at the HUD website ([https://www.hud.gov/program\\_offices/fair\\_housing\\_equal\\_opp/online-complaint](https://www.hud.gov/program_offices/fair_housing_equal_opp/online-complaint)).

This page ([https://www.hud.gov/program\\_offices/fair\\_housing\\_equal\\_opp/complaint-process](https://www.hud.gov/program_offices/fair_housing_equal_opp/complaint-process)) on the HUD website provides an overview of the complaint and investigation process.

Housing discrimination complaints may be filed for up to one year after the discriminatory housing practice occurs or ends, but it's best to file your complaint as soon as possible.

## Resources and assistance

Learn what the Fair Housing Act says, in a consumer-friendly format, at HUD.gov ([https://www.hud.gov/program\\_offices/fair\\_housing\\_equal\\_opp/fair\\_housing\\_act\\_overview](https://www.hud.gov/program_offices/fair_housing_equal_opp/fair_housing_act_overview)).

## About Consumer Action

[www.consumer-action.org](http://www.consumer-action.org)

Through education and advocacy, Consumer Action fights for strong consumer rights and policies that promote fairness and financial prosperity for underrepresented consumers nationwide.

**Consumer advice and assistance:** Submit consumer complaints to: <https://complaints.consumer-action.org/forms/english-form> or 415-777-9635. (Spanish-language complaints can be submitted to: <https://complaints.consumer-action.org/forms/spanish-form/>.)

Our hotline accepts calls in Chinese, English and Spanish.

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Not sure if you're being discriminated against? HUD offers some examples of housing discrimination that will help you recognize it ([https://www.hud.gov/program\\_offices/fair\\_housing\\_equal\\_opp/examples\\_housing\\_discrimination](https://www.hud.gov/program_offices/fair_housing_equal_opp/examples_housing_discrimination)).

You have the right to sue your landlord for discrimination, even if you have filed a complaint with HUD. Find out about the process and get tips about hiring a lawyer at the Nolo legal information website (<https://www.nolo.com/legal-encyclopedia/can-i-sue-landlord-housing-discrimination.html>).

Find local fair housing and tenant rights organizations by clicking on your state on HUD's Tenant Rights webpage ([https://www.hud.gov/topics/rental\\_assistance/tenantrights](https://www.hud.gov/topics/rental_assistance/tenantrights)). These groups can help you determine if you have been discriminated against and counsel you (<https://apps.hud.gov/offices/hsg/sfh/hcc/hcs.cfm>) on your options.

*This guide was created as part of Consumer Action's COVID-19 Educational Project.*