

Family Housing Protections For Survivors of Domestic Violence



Housing discrimination is illegal

The Federal Fair Housing Act prohibits discrimination in housing related transactions because of:

- Race
- Color
- Religion
- National origin
- Sex
- Disability
- Familial status

While the Federal Fair Housing Act only protects those groups listed above, many state and local laws prohibit discrimination for other reasons, such as source of income, sexual orientation, and gender identity.

The Federal Fair Housing Act applies to multiple housing transactions and multiple people/entities.

- **Transactions:** rentals; sales; home mortgages; appraisals; and homeowner's insurance
- **People/Entities:** landlords; real estate agents; lenders; insurance companies; and condominium, cooperate, and homeowners' associations



Federal and state laws protecting domestic violence survivors

- **Federal Violence Against Women Act (VAWA):** VAWA is a federal law that protects victims who receive subsidized housing (such as housing choice voucher, public housing, and tax credit housing). Generally, you cannot be denied subsidized housing benefits because you are victim of domestic violence. Similarly, you cannot be evicted because you a victim of domestic violence. Additionally, if you or a member of your household is unsafe in your unit because of domestic violence, you can request an emergency transfer to a safe unit in subsidized housing. If a transfer is possible, your landlord must follow your request.
- **Federal Fair Housing Act (FHA):** The FHA applies to tenants regardless of if their housing is subsidized. The FHA prohibits discrimination on the basis of sex. Some Courts have applied this protection to domestic violence victims.
- **Ohio Revised Code (ORC):** The ORC applies to tenants regardless of if their housing is subsidized. The ORC prohibits discrimination on the basis of sex. Some Courts have applied this protection to domestic violence victims.



Is this Housing Discrimination?

Example: Jane rented a unit with a Section 8 voucher. Jane’s ex-girlfriend came over to the unit on multiple occasions. The Public Housing Authority is trying to end Jane’s voucher by claiming that Jane allowed her girlfriend to live with her.....**YES!**

Example: Kathy lived in private rental housing, ran by a national property management company, with her son and fiancée. After moving into the unit, Kathy’s fiancée became abusive. When she tried to remove her fiancée from the unit, her fiancé threatened to kill her and himself. Kathy called the police, had her fiancée arrested, and pressed charges. She informed management that she wanted to remove him from the lease. A few days later, Kathy was served with an eviction notice.....**YES!**

Example: John, who lived in a low-income tax credit property, had a Civil Protection Order against his ex-girlfriend. On one occasion, the ex-girlfriend came over to John’s house, kicked in the door, and broke his window. The property management company evicted John for violating his lease because it said that his failure to properly supervise a guest led to property damage.....**YES!**



Fair Housing is your RIGHT! Report Violations.

- If you believe your housing rights have been violated, you can do any or all of the following:
- File an administrative complaint with HUD at www.hud.gov/fairhousing
 - File an administrative complaint with the Ohio Civil Rights Commission at www.ocrc.ohio.gov
 - Contact Southeastern Ohio Legal Services or The Legal Aid Society of Columbus to discuss your claims under fair housing laws. Contact information is below.

**The information on this flyer is not legal advice.
If you are seeking representation or legal advice, please contact LASC or SEOLS.
An attorney-client relationship does not exist between you and LASC or SEOLS.**

Contact for Services: Intake line: 1-844-302-1800

www.columbuslegalaids.org

www.seols.org

LASC provides services in Central Ohio and has offices in Columbus and Marion.

SEOLS provides services in thirty-four counties in Southeastern Ohio and has offices in Athens, Chillicothe, New Philadelphia, Newark, Portsmouth, and Steubenville