

RELIGIOUS DISCRIMINATION IN HOUSING

Finding the right home should not be made more difficult because of discrimination or harassment based on religion. The Fair Housing Project enforces the federal and state Fair Housing Acts, which prohibit housing discrimination on the basis of race, color, religion, sex, national origin, disability, and familial status. These protections apply to discrimination in the sale or rental of housing, as well as to the "terms and conditions" of the sale or rental of housing.

WHAT IS RELIGIOUS DISCRIMINATION IN HOUSING?

The Fair Housing Act prohibits housing providers from treating renters or homebuyers differently because of their religion or because they wear religious clothing or engage in religious practices and rituals. "Religion" includes both the practice and non-practice of religion, such as atheism, as well as religions that are outside the mainstream. However, a housing provider is not required to provide an accommodation from a neutrally applied rule for a person with religious needs.

Discrimination includes refusing to rent or sell, charging more, or offering different terms to someone because of his or her religion. Housing providers are prohibited from making discriminatory statements or publishing discriminatory advertising, as well as from making false statements about availability.

Whether people include religious items or symbols in their units is their own decision so long as it does not violate reasonable safety or sanitation rules or laws. In addition, if tenants are permitted to put items or decorations on their apartment doors, religious individuals should be allowed to put religious items or decorations on their doors, such as a Jewish mezuzah (religious ornament on one's doorframe) or a Christian wreath or cross.

Examples of possible fair housing violations:

- Refusing to rent to women who wear hijabs (religious headscarves) or Sikhs who wear turbans.
- Harassing tenants because of their religious practices or dress.
- Calling Muslims "terrorists" and telling them they aren't welcome as tenants or neighbors.
- Allowing some tenants to put up Christmas lights, but telling others they cannot put up decorations for their non-Christian holidays.
- Telling tenant applicants that they won't like a neighborhood because there isn't a mosque, synagogue or church nearby.
- Prohibiting use of a community room for religious purposes, while allowing tenants to use them for secular gatherings, such as parties.



ARE RELIGIOUS INSTITUTIONS COVERED BY THE FAIR HOUSING ACT?

Housing owned or operated by a religious organization must comply with all provisions of the Fair Housing Act, with limited exceptions. A religious institution or affiliated organization providing housing may favor or give a preference to persons of the same religion only if: 1) it is offering the housing for non-commercial purposes; and 2) the religion does not discriminate on the basis of race, color or national origin. Even if this limited exception applies, the religious organization can only give a preference based on religion, and may not discriminate based on any of the other protected classes. Religious housing providers that receive HUD or other federal funds, such as shelters or transitional housing, cannot discriminate on the basis of religion.

WHAT CAN I DO IF I HAVE EXPERIENCED HOUSING DISCRIMINATION?

The Fair Housing Project of Legal Aid of North Carolina is available to provide information concerning a person's rights under the federal Fair Housing Act.

If you believe you have been a victim of an illegal housing practice, you may file a complaint with a federal, state or local fair housing enforcement agency, or file your own lawsuit in federal or state court. Contact the Fair Housing Project of Legal Aid of NC for assistance at 1-855-797-3247. A Project staff person will discuss the situation with you and help you to decide what to do next. Your response to us will be kept confidential. When necessary, our staff can assist you in filing a complaint with the U.S. Department of Housing and Urban Development (HUD), local human relations commissions, or in court.

USEFUL TIPS

What you should do if you believe you have experienced housing discrimination:

- Contact the Fair Housing Project and report the discrimination to us.
- Keep a journal of incidents of discrimination.
- Write down what you experienced, including names, dates, addresses, rental terms, and any other details about your interaction.
- Keep any documents related to the discrimination, including all emails and text communications, receipts, and other possible evidence.
- Following the incident, you have one year to file an administrative complaint or two years to file a lawsuit in court.

RESOURCES ABOUT RELIGIOUS DISCRIMINATION

For more information and resources about religious discrimination, please visit:

<https://www.fairhousingnc.org/know-your-rights/religion/>

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