



# Advances

The Source for Current Housing Trends

## What Renters Should Know About Fair Housing

Both state and federal laws exist which disallow discrimination in housing. These laws prohibit discrimination of protected classes based on:

- Race
- Color
- National Origin
- Religion
- Sex
- Handicap
- Familial Status

Although the fair housing laws apply to all segments of the real estate industry, this particular brief will focus on rental housing. Violations of fair housing laws can result in civil lawsuits, with the possibility of paying punitive damages. These lawsuits can involve administrative proceedings in which the government acts as both investigator and prosecutor. Violation of these Fair Housing laws can be very expensive.

The following are examples of acts prohibited under Fair Housing laws:

- Refusing to rent after a bona fide offer has been made, or to negotiate the rental of a dwelling based on membership in a protected class;
- Establishing requirements for admission which operate to exclude protected classes;
- Using a lease or contract with different terms to discriminate against protected classes;
- Employing any form of quota system to limit occupancy by protected individuals;
- Limiting the use of facilities or services by a protected individual, or providing a lower quality of service to such a person;
- Discouraging applications or inappropriately influencing the choice of a rental unit through steering, threats or intimidation;
- Providing false or misleading information about a housing opportunity;
- Failing to effectively communicate, through advertising or on site marketing activities, the availability of housing to protected classes;
- With respect to persons with disabilities, refusing to make reasonable changes in rules, policies, services or practices to permit full use and enjoyment of the housing by such persons;
- Refusing to allow reasonable modifications to dwellings to permit accessibility by persons with disabilities;
- In the case of new construction, constructing buildings and units that are inaccessible to persons with disabilities; and

- Employing different standards of eviction for a member of a protected class.

If you believe that you, or someone you know, have been discriminated against, you may want to file a complaint with the Colorado Civil Rights Commission or with the U.S. Department of Housing and Urban Development (HUD). HUD and the Colorado Civil Rights Commission have a cooperative agreement, which prevents duplication of effort in filing and processing a complaint when there is a common jurisdiction.

A complaint filed with the Colorado Civil Rights Commission, must be filed within 90 days of an alleged act of discrimination. The Colorado Civil Rights Commission can be contacted at 1-800-262-4845. For more information you can visit their web site at [www.dora.state.co.us/civil-rights/](http://www.dora.state.co.us/civil-rights/).

A charge filed with HUD, must be filed within one year of an alleged act of discrimination. The Department of Housing and Urban Development can be contacted at 1-800-669-9777. For more information on Fair Housing and Equal Opportunity you can visit their web site at [www.hud.gov/offices/fheo/index.cfm](http://www.hud.gov/offices/fheo/index.cfm). Complaints filed with these governmental agencies go through an investigation process and if there is reasonable cause to believe that discrimination has occurred, a hearing will follow. The above services are free.

You may file suit, at your expense, in Federal District Court or State Court within two years of an alleged violation. If you cannot afford an attorney, the court may appoint one for you. You may bring suit even after filing a complaint, if you have not signed a conciliation agreement and an Administrative Law Judge has not started a hearing. A court may award actual and punitive damages and attorney's fees and costs.

Other resources to consider:

- HOUSING FOR ALL, The Denver Metro Fair Housing Center (303) 296-6949
- Asian-Pacific Center for Human Development (translation services) (303) 355-0710
- Center on Deafness (303) 839-8022
- Colorado Relay (Voice) 1-800-659-3656 (TDD) 1-800-659-2656 (ASCII-Data) 1-800-659-4656.

If you would like to contact the Colorado Division of Housing for additional information you may do so at (303) 866-2033 or visit our web page at [www.dola.state.co.us/cdh/index.html](http://www.dola.state.co.us/cdh/index.html)

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Contact: [Department of Local Affairs](#)