



Frequently Asked Questions

What housing practices based upon sexual orientation or transgender status are prohibited as discriminatory?

- Refusing to show, sell, transfer, rent, or lease housing or residential real estate, or otherwise deny housing opportunities;
- Discriminating in the terms, conditions, or privileges of any residential real estate or housing transaction, or in facilities;
- Making discriminatory inquiries about anyone's sexual orientation or transgender status in connection with a residential real estate or housing transaction;
- Printing or publishing an advertisement or notice indicating any preference or limitation in housing based upon sexual orientation or transgender status;
- Discriminating in financing or lending for residential real estate or housing;
- Denying participation in any activity related to the sale of housing, including, but not limited to, real estate listing services, brokerage services, or realtor associations; and
- Denying that housing is available for sale or rent, when the housing is actually available.

Who must comply with the law's prohibition on sexual orientation and transgender status discrimination?

Landlords, lessors, sellers, homeowner associations, lenders, real estate agencies, insurers, advertisers, cities, counties, government agencies, and any other entities whose practices or policies affect housing, including their agents, must all comply with the law.

Is any housing exempt from the law?

Yes. Non-commercial lodgings in a private club are exempt, provided the club does not promote discrimination based upon any class protected by the law. Owner-occupied single family dwellings are also exempt.

What is discrimination based upon "perception"?

If an individual is regarded as straight, gay, lesbian, bisexual, or transgender, it is illegal to discriminate against the person in housing, even if that perception is mistaken.

What is discriminatory harassment and is it a prohibited housing practice?

Harassment is severe or pervasive offensive conduct against a person because of sexual orientation or transgender status. Unlawful harassment may include, but is not limited to, malicious behavior, sexual advances, use of derogatory names or terms, or intentional misuse of gender pronouns and names. Management must be made aware of such offensive conduct, and cannot be held responsible for harassment unless it fails to take prompt and effective action to stop it.

Are housing providers required to eliminate gender-segregated facilities to accommodate transgender people?

No. Housing providers are not required to make facilities "unisex." Housing access may not be denied or limited, however, solely because a person is transgender. A "reasonable accommodation," where appropriate, may be made in gender-segregated facilities. For example, a homeless shelter may provide a private room for a transgender person to fulfill its duty to provide nondiscriminatory access to housing.



Civil Rights Protections

Colorado’s Anti-Discrimination Law prohibits discrimination in housing based upon sexual orientation, which includes being transgender. Straight, gay, lesbian, bisexual, or transgender people may not be discriminated against because of their sexual orientation or transgender status, or because of the perception of their sexual orientation or transgender status, in home rentals or sales, real estate financing, homeowner associations, or other housing transactions and housing facilities.

Some Important Terms

“**Sexual Orientation**” means heterosexuality (“straight”), homosexuality (lesbian or gay), bisexuality (“bi”), transgender status, or the perception thereof.

“**Transgender**” means having a gender identity or gender expression that differs from societal expectations based on gender assigned at birth.

“**Gender Identity**” means an innate sense of one’s own gender.

“**Gender Expression**” means external appearance, characteristics or behaviors typically associated with a specific gender.



Statute of Limitations

A charge of **housing** discrimination must be filed with the Colorado Civil Rights Division within **one year** of the last date of alleged discriminatory action.

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| Other FAQ Guides about Sexual Orientation & Transgender Status |
| Employment |
| Public Accommodations |



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Sexual Orientation & Transgender Status Discrimination

Department of Regulatory Agencies
Colorado Civil Rights Division

A GUIDE TO THE HOUSING PROVISIONS OF COLORADO’S ANTI-DISCRIMINATION LAW

TITLE 24, ARTICLE 34,
PART 5
COLORADO REVISED STATUTES

