



# Appalachian Ohio Fair Housing Initiative

The **Appalachian Ohio Fair Housing Initiative** brings together experienced rural legal aid attorneys from *Southeastern Ohio Legal Services* and *The Legal Aid Society of Columbus*, statewide experts, and local community groups in an effort to provide fair housing education and outreach throughout rural Appalachian Ohio.

This project commits to fair housing outreach and education events in every one of the 35 Ohio counties served by the project. Those counties include: Tuscarawas, Holmes, Coshocton, Guernsey, Athens, Gallia, Meigs, Vinton, Morgan, Noble, Washington, Ross, Pickaway, Jackson, Pike, Fairfield, Hocking, Fayette Licking, Knox, Muskingum, Perry, Adams, Lawrence, Scioto, Belmont, Harrison, Jefferson, Monroe, Carroll, Marion, Delaware, Union, Morrow, and Madison.

## What is Fair Housing?

Passed in 1968, the Fair Housing Act prohibits discrimination in the sale, rental, and financing of dwellings based on membership in certain protected classes.



### Protected Classes Include

- |                   |  |                   |
|-------------------|--|-------------------|
| • Race            | • Sex                                      | Ohio also adds    |
| • Color           | • Familial Status (families with children) | • Military status |
| • National Origin |  | • Ancestry        |
| • Religion        | • Disability                               |                   |



### Discrimination Includes

- |  |   |
|--|---|
| • Refusal to rent or sell housing  | • Falsely denying that housing is available for inspection, sale, or rental   |
| • Refusal to negotiate for housing   | • For profit, persuading owners to sell or rent (blockbusting) or   |
| • Making housing unavailable   | • Denying anyone access to or membership in a facility or service (such as a multiple listing service) related to the sale or rental of housing |
| • Denying a dwelling   |   |
| • Setting different terms, conditions or privileges for sale or rental of a dwelling |   |
| • Providing different housing services or facilities                                 |   |

To talk to an attorney about your case, call SEOLS at 1-800-686-3670



### **It Is Also Illegal To...**

- Threaten, coerce, intimidate or interfere with anyone exercising a fair housing right or assisting others who exercise that right.
- Advertise or make any statement that indicates a limitation or preference based on race, color, national origin, religion, sex, familial status, or handicap. This prohibition against discriminatory advertising applies to single-family and owner-occupied housing that is otherwise exempt from the Fair Housing Act.



### **If You Have A Disability, Your Landlord May Not...**

- Refuse to let you make reasonable modifications to your dwelling or common use areas, at your expense, if necessary for a person with a disability to use the housing. (Where reasonable, the landlord may permit changes only if you agree to restore the property to its original condition when you move.)
- Refuse to make reasonable accommodations in rules, policies, practices or services if necessary for a person with a disability to use the housing.



### **What Can I Do If I Believe My Landlord Has Discriminated Against Me?**

- If you think your rights to fair housing have been violated, help is available. Housing discrimination complaints can be filed by phone, online, or in writing with HUD and/or the Ohio Civil Rights Commission. To reach the local HUD office in your area, call 1-800-669-9777, TDD 1-800-927-9275 or visit **HUD.gov**. To reach the Ohio Civil Rights Commission, call 1-888-278-7101 or visit **crc.ohio.gov**.
- You have one year from the date of the alleged act of discrimination to file your complaint.

To talk to an attorney about your case, call SEOLS at  
**1-800-686-3670**



# HUD Complaint Process Instructions

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## Step 1 - Intake

- Anyone can file a complaint with HUD at no cost. Fair housing complaints can be filed by any entity, including individuals and community groups. Those that file fair housing complaints are known as complainants. Those against whom fair housing complaints are filed are called respondents.
- Fair housing complaints can be filed with HUD by telephone (1-800-669-9777), online at [www.hud.gov](http://www.hud.gov), or by mailing the attached "Housing Discrimination Information Form".
- After HUD has received the initial information, an intake specialist will contact the complainant and interview him or her to collect facts about the alleged discrimination. Initial interviews are normally conducted by telephone. The intake specialist will then review the allegations to determine whether HUD can investigate the complaint.
- If HUD has the authority to investigate, it will file the complaint. If the allegations do not fall within HUD's jurisdiction, for example if the complaint does not allege housing discrimination, HUD cannot accept the complaint and must close the case.
- In many cases, HUD will refer the complaint to the Ohio Civil Rights Commission. That agency must begin to work with the complainant within 30 days, or HUD can take the complaint back.



## Step 2 - Filing

- If HUD accepts the complaint for investigation, the investigator will draft a formal complaint on HUD's standard form and provide it to the complainant, typically by mail. The complainant must sign the form and return it to HUD.
- Within 10 days after receipt of a signed complaint, HUD will send the respondent notice that a fair housing complaint has been filed against him or her along with a copy of the complaint. At the same time, HUD will send the complainant an acknowledgement letter and a copy of the complaint.
- Within 10 days of receiving the notice, the Respondent must submit to HUD an answer to the complaint.



## Step 3 - Investigation

- As part of the investigation, HUD will interview the complainant, the respondent, and pertinent witnesses. The investigator will collect relevant documents or conduct onsite visits, as appropriate.
- HUD has the authority to take depositions, issue subpoenas and interrogatories, and compel testimony or documents.



## Step 4 - Conciliation

- The Fair Housing Act requires HUD to bring the parties together to attempt conciliation in every fair housing complaint. The choice to conciliate the complaint is completely voluntary on the part of both parties. Any conciliation agreement signed by HUD must protect the public's interests.
- If the parties sign a conciliation agreement, HUD will end its investigation and close the case. However, if either party breaches the agreement, HUD can recommend that the U.S. Department of Justice (DOJ) file suit to enforce the agreement.



## Step 5 - No Cause Determination

- If, after a thorough investigation, HUD finds no reasonable cause to believe that housing discrimination has occurred or is about to occur, HUD will issue a determination of "no reasonable cause" and close the case.
- A complainant who disagrees with that decision can request reconsideration of the case by sending a letter to the Director of the Office of Enforcement, FHEO, 451 7th Street, SW, Room 5214, Washington, DC 20410.
- Upon receipt of a request for reconsideration, HUD will notify all of the parties that the request has been received and invite them to submit any additional evidence pertinent to the investigation.
- HUD will review all of the materials from the investigation and any additional evidence that the parties provide.
- HUD will then inform the parties if the Department has affirmed its finding of "no reasonable cause" or instead has decided to re-open the complaint. If HUD decides to re-open the complaint, it will resume investigation and conciliation. If HUD affirms its finding of "no reasonable cause", HUD can take no further action on the complaint.
- If the complainant disagrees with HUD's determination that there was no reasonable cause to believe that discrimination occurred or was about to occur, the complainant can file a civil court action in the appropriate U.S. district court.



## Step 6 - Cause Determination and Charge

- If the investigation produces reasonable cause to believe that discrimination has occurred or is about to occur, HUD will issue a determination of "reasonable cause" and charge the respondent with violating the law. HUD will send a copy of the charge to the parties in the case.
- After HUD issues a charge, a HUD Administrative Law Judge (ALJ) will hear the case unless either party elects to have the case heard in federal civil court. Parties must elect within 20 days of receipt of the charge.



## Step 7 - Hearing in a U.S. District Court

- Within 30 days after either party elects to go to federal court, DOJ will commence a civil action on behalf of the aggrieved person in U.S. district court.
- If the court finds that a discriminatory housing practice has or is about to occur, the court can award actual and punitive damages as well as attorneys fees.



## Step 8 - Hearing before a HUD ALJ

- If neither party elects, a HUD ALJ will hear the case. An attorney from HUD will represent the aggrieved party before the ALJ.
- When the ALJ decides the case, the ALJ will issue an initial decision.
- If the ALJ finds that housing discrimination has occurred or is about to occur, the ALJ can award a maximum civil penalty of \$16,000, per violation, for a first offense, in addition to actual damages for the complainant, injunctive or other equitable relief, and attorneys' fees.
- Within 15 days of the issuance of the ALJ's initial decision, any party adversely affected by the ALJ's initial decision can petition the Secretary of HUD for review.
- The Secretary of HUD has 30 days after the initial decision to affirm, modify, or set aside the ALJ's initial decision, or remand the initial decision for further proceedings. If the Secretary does not take any action within 30 days, the decision will be considered the Department's final decision. 6. After the Department has issued a final decision, any party aggrieved by the Department's final decision can appeal to the appropriate court of appeals.

**U.S. Department of Housing and Urban Development**  
Office of Fair Housing and Equal Opportunity

# Are you a Victim of Housing Discrimination?

Fair Housing is Your Right!

If you have been denied your housing rights ... you may have experienced housing discrimination.



## **How do you recognize Housing Discrimination?**

### **Under the Fair Housing Act, It is Against the Law to:**

- Refuse to rent to you or sell you housing
- Tell you housing is unavailable when in fact it is available
- Show you apartments or homes in certain neighborhoods only
- Advertise housing to preferred groups of people only
- Refuse to provide you with information regarding mortgage loans, deny you a mortgage loan, or impose different terms or conditions on a mortgage loan
- Deny you property insurance
- Conduct property appraisals in a discriminatory manner
- Refuse to make certain modifications or accommodations for persons with a mental or physical disability, including persons recovering from alcohol and substance abuse, and HIV/AIDS-related illnesses
- Fail to design and construct housing in an accessible manner
- Harass, coerce, intimidate, or interfere with anyone exercising or assisting someone else with their fair housing rights

### **Based on these factors...**

- Race
- Color
- National origin
- Religion
- Sex
- Familial status (families with children under the age of 18, or who are expecting a child), or
- Handicap (if you or someone close to you has a disability)

If you don't report discrimination,  
it can't be stopped!

# Housing Discrimination Information Form

- If you believe your rights have been violated, HUD or a State or local fair housing agency is ready to help you file a complaint.
- You have one year from the date of the alleged act of discrimination to file your complaint.
- After your information is received, we will contact you to discuss the concerns you raise.

**Instructions:** (Please type or print.) Read this form carefully. Try to answer all questions. If you do not know the answer or a question does not apply to you, leave the space blank. You have one year from the date of the alleged discrimination to file a complaint. Your form should be signed and dated. Use reverse side of this page if you need more space to respond.

**Keep this information for your records.**

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Date you mailed your information to HUD:

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Address to which you sent the information:

Street:

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City:

State:

Zip Code:

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If you have not heard from HUD or a fair housing agency within three weeks from the date you mail this form, you may call to inquire about the status of your complaint. See addresses and telephone listings on the last page.



|               |                    |                        |
|---------------|--------------------|------------------------|
| Your Name:    | Best time to call: | Your Daytime Phone No: |
| Your Address: |                    | Evening Phone No:      |
| City:         | State:             | Zip Code:              |

Who else can we call if we cannot reach you?

|                    |                   |
|--------------------|-------------------|
| 1 Contact's Name:  | Daytime Phone No: |
| Best time to call: | Evening Phone No: |
| 2 Contact's Name:  | Daytime Phone No: |
| Best time to call: | Evening Phone No: |

1. **What** happened to you? How were you discriminated against? For example: were you refused an opportunity to rent or buy housing? Denied a loan? Told that housing was not available when in fact it was? Treated differently from others seeking housing? State briefly what happened.

2. **Why** do you believe you are being discriminated against?

It is a violation of the law to deny you your housing rights for any of the following factors:

• race • color • religion • sex • national origin • familial status (families with children under 18) • disability.

For example: were you denied housing **because of** your race? Were you denied a mortgage loan **because of** your religion? Or turned down for an apartment **because** you have children? Were you harassed because you assisted someone in obtaining their fair housing rights? Briefly explain why you think your housing rights were denied **because of** any the factors listed above.

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3. **Who** do you believe discriminated against you? Was it a landlord, owner, bank, real estate agent, broker, company, or organization?

Name:

Address:

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4. **Where** did the alleged act of discrimination occur? Provide the address. For example: Was it at a rental unit? Single family home? Public or Assisted Housing? A Mobile Home? Did it occur at a bank or other lending institution?

Address:

City:

State:

Zip Code:

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5. **When** did the last act of discrimination occur? Enter the date \_\_\_\_/\_\_\_\_/\_\_\_\_  
Is the alleged discrimination continuous or on going?

☐ Yes ☐ No

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Signature:

Date:

X

**Send this form** to HUD or to the fair housing agency where the alleged act of discrimination occurred.

If you are unable to complete this form, you may call the office nearest you.  
See addresses and telephone numbers listed on the back page.

**Privacy Act Statement** The Department of Housing and Urban Development is authorized to collect this information by Title VIII of the Civil Rights Act of 1968, as amended by the Fair Housing Amendments Act of 1988, (P.L. 100-430); Title VI of the Civil Rights Act of 1964, (P.L. 88-352); Section 504 of the Rehabilitation Act of 1973, as amended, (P.L. 93-112); Section 109 of Title I - Housing and Community Development Act of 1974, as amended, (P.L. 97-35); Americans with Disabilities Act of 1990, (P.L. 101-336); and by the Age Discrimination Act of 1975, as amended, (42 U.S.C. 6103).

The information will be used to investigate and to process housing discrimination complaints. The information may be disclosed to the United States Department of Justice for its use in the filing of pattern and practice suits of housing discrimination or the prosecution of the person(s) who committed the discrimination where violence is involved; and to State or local fair housing agencies that administer substantially equivalent fair housing laws for complaint processing. Failure to provide some or all of the requested information will result in delay or denial of HUD assistance.

Public Reporting Burden for this collection of information is estimated to average 20 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

Disclosure of this information is voluntary.

**For Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, and Vermont:**

Fair Housing Enforcement Center  
U.S. Department HUD  
10 Causeway Street, Room 321  
Boston, MA 02222-1092  
(617) 565-5308  
1-800-827-5005  
TTY (617) 565-5453

**For New Jersey and New York:**

Fair Housing Enforcement Center  
U.S. Department HUD  
26 Federal Plaza, Room 3532  
New York, NY 10278-0068  
(212) 264-9610  
1-800-496-4294  
TTY (212) 264-0927

**For Delaware, District of Columbia, Maryland, Pennsylvania, Virginia, and West Virginia:**

Fair Housing Enforcement Center  
U.S. Department HUD  
The Wanamaker Building  
100 Penn Square East  
Philadelphia, PA 19107-3380  
(215) 656-0660  
1-888-799-2085  
TTY (215) 656-3450

**For Alabama, the Caribbean, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, and Tennessee:**

Fair Housing Enforcement Center  
U.S. Department HUD  
Richard B. Russell Federal Bldg.  
75 Spring Street, SW, Room 230  
Atlanta, GA 30303-3388  
(404) 331-5140  
1-800-440-8091  
TTY (404) 730-2654

**For Illinois, Indiana, Michigan, Minnesota, Ohio, and Wisconsin:**

Fair Housing Enforcement Center  
U.S. Department HUD  
Ralph H. Metcalfe Federal Bldg.  
77 West Jackson Boulevard,  
Room 2101  
Chicago, IL 60604-3507  
(312) 353-7776  
1-800-765-9372  
TTY (312) 353-7143

**For Arkansas, Louisiana, New Mexico, Oklahoma, and Texas:**

Fair Housing Enforcement Center  
U.S. Department HUD  
1600 Throckmorton, Room 502  
Forth Worth, TX 76113-2905  
(817) 978-9270  
1-800-498-9371  
TTY (817) 978-9274

**For Iowa, Kansas, Missouri and Nebraska:**

Fair Housing Enforcement Center  
U.S. Department HUD  
Gateway Tower II  
400 State Avenue, Room 200  
Kansas City, KA 66101-2406  
(913) 551-6958  
1-800-743-5323  
TTY (913) 551-6972

**For Colorado, Montana, North Dakota, South Dakota, Utah, and Wyoming:**

Fair Housing Enforcement Center  
U.S. Department HUD  
633 17th Street  
Denver, CO 80202-3607  
(303) 672-5437  
1-800-877-7353  
TTY (303) 672-5248

**For Arizona, California, Hawaii, and Nevada:**

Fair Housing Enforcement Center  
U.S. Department HUD  
Phillip Burton Federal Building  
and U.S. Courthouse  
450 Golden Gate Avenue  
San Francisco, CA 94102-3448  
(415) 436-8400  
1-800-347-3739  
TTY (415) 436-6594

**For Alaska, Idaho, Oregon, and Washington:**

Fair Housing Enforcement Center  
U.S. Department HUD  
Seattle Federal Office Building  
909 First Avenue, Room 205  
Seattle, WA 98104-1000  
(206) 220-5170  
1-800-877-0246  
TTY (206) 220-5185