

Housing Education Resource Center, Inc.

• 901 Wethersfield Ave, Hartford, CT 06114 • (860) 296-4372 • Housing Counseling Line

FAIR HOUSING – IT’S THE LAW

Fair Housing Means . . .

Assuring that all persons have a free choice of housing location limited only by one’s means and/or desires, but not limited by one’s attributes which have been recognized by law as “**PROTECTED CLASSES**”.

In Connecticut, the Protected Classes are: **race, color, creed, national origin, ancestry, sex, marital status, age, mental retardation, mental or learning or physical disability, lawful source of income, familial status, and sexual orientation.**

Under Federal law, the protected classes are: **race, color, religion, sex, familial status, national origin, and handicapped condition.**

**Note:* Fair housing standards are established under both Connecticut and federal law. In cases where state and federal law are not identical, the stricter standard applies.

HOW IS FAIR HOUSING LAW INTERPRETED?

RACE, COLOR AND NATIONAL ORIGIN

Under no circumstances, without any exceptions, can anyone be legally discriminated against in the sale or rental of real estate because of Race, Color, or National Origin! (U.S. Civil Rights Act of 1866)

**Note:* Race, Color and National Origin are also covered under the Connecticut Fair Housing Law and the Federal Title VIII statute. Both federal and Connecticut fair housing laws contain specific exceptions for the protected classes; however, the U.S. Civil Rights Act of 1866 takes precedence in cases regarding race, color or national origin and allows no exceptions.

RELIGION, SEX, AND PERSONS WITH DISABILITIES

Under both state and federal law, it is illegal to discriminate in the sale or rental property because of someone’s Religion, Sex, or because of a Disability (including Mental Retardation and any actual or perceived Learning, Mental or Physical Disabilities). (CT General Statutes 46a-64c and USC Title VIII).

Exceptions Under State Law

The law does not apply to:

- Owner-occupied, 2 family building
- The rental of a room or rooms in a private home if the owner resides there.

Exceptions Under Federal Law

The law does not apply to:

- 1-family house where owner sells or rents the unit without an agent and without advertising
- Owner-occupied building with 4 or less rental units or rooms.

**Note:* There is an additional requirement under both state and federal law regarding Persons with Disabilities which states that landlords must allow such tenants to modify the property for accessibility reasons, if the tenant desires, and the tenant is willing to pay for this accommodation. Also, a landlord must make “reasonable accommodations” for any person with any disability.

MARITAL STATUS, AGE, ANCESTRY, AND LAWFUL SOURCE OF INCOME

Under Connecticut state law only, it is illegal to discriminate against someone with regards to the sale or rental of housing because of one's **Marital Status, Age, Ancestry, or Lawful Source of Income**. CT General Statutes 46a-64c

Exceptions Under This Connecticut State Law Include:

Marital Status

The law does not apply to: • A man and women who are unrelated by blood and are not married to each other.

Age

The law does not apply to: • Minors (under 18 years old) and "housing for older persons" as defined in Section 46a-64b of the CT General Statutes (CGS)

Lawful Source of Income

Clarification: Income must be sufficient to cover housing expense.

The law does not apply to: • A two-family, owner occupied building.

*Note: The application of these statutes is further defined and clarified as follows.

• **Housing for Older Persons** is a legal form of housing and is defined as such. Housing for Older Persons is defined as housing: **(1)** provided under any state or federal program that the Secretary of the United States Department of Housing and Urban Development determines is specifically designed and operated to assist elderly persons as defined in the state of federal program; or **(2)** intended for, and solely occupied by, persons 62 years of age or older; or **(3)** intended and operated for occupancy by at least one person 55 years of age or older per unit in accordance with the standards set forth in the federal Fair Housing Act and regulations developed by the U.S. Department of Housing and Urban Development (HUD).

• **Lawful Source of Income** is defined as income derived from wages and salaries, social security, supplemental security income, housing assistance, child support, alimony or public or general assistance.

FAMILIAL STATUS

It is illegal under both state and federal law to discriminate against someone in the sale rental or real estate because of that person's Familial Status (having children or being pregnant). (CT General Statutes 46a-64c and USC Title VIII)

Exceptions Under State Law

The Law does not apply to:

- 2, 3 and 4-unit buildings only if the owner resides in one of the units.
- The rental of a room or rooms in a private home if the owner resides there.
- Does not apply to "housing for older persons" as defined in Section 46-64b of the CT General Statutes (CGS)

Exceptions Under Federal Law

The Law does not apply to:

- 1-family houses where owner sells or rents the unit without an agent and without advertising.
- Owner-occupied building with 4 or less rental units or rooms.
- Does not apply to "housing for older persons" as defined under the federal law and Section 46-64b of the CT General Statutes.

SEXUAL ORIENTATION

Connecticut law makes it illegal to discriminate in the rental or sale of housing because of a person's Sexual Orientation. (CT General Statutes 46a-81e). Sexual orientation means having a preference for heterosexuality, homosexuality or bisexuality, having a history of such preference, or being identified with such preference.

Exceptions Under This State Law Include:

The Law does not apply to:

- 2, 3 and 4-unit buildings only if the owner resides in one of the units
- The rental of a room or rooms in a private house if the owner resides there.

For Further Information or Assistance, Write or Call:

1. **Housing Education Resource Center, Inc. (HERC)** – Fair Housing & Landlord/Tenant Information & Counseling
901 Wethersfield Ave, Hartford, CT 06114 •(860) 296-4372 •Housing Counseling Phone Line
2. **Connecticut Fair Housing Center, Inc.** – Housing Discrimination Inquires & Complaints
221 Main Street, Suite 204, Hartford, CT 06106 •(860) 247-4400 (Hartford Area) / (888) 247-4401 (Toll Free)
3. **CT Commission on Human Rights & Opportunities (CHRO)** – Housing Discrimination Complaints & Enforcement
21 Grand Street, Hartford, CT 06106 • (860) 541-3404 - Hartford Central Office Legal Dept.
4. **U.S. Dept. Of Housing and Urban Development (HUD)** - Housing Discrimination Complaints & Enforcement
20 Church Street, Hartford, CT 06103 • (860) 240-4800 ext.3037-Connecticut Office
(800) 669-9777 National Toll-Free • (800) 927-9275 (TDD)