



125 LINCOLN STREET, 5TH FLOOR, BOSTON, MA 02111-2503

Phone: (617) 859-0400 | Toll Free: (800) 272-0990 (MA Only)

www.mbhp.org

Tenant Fair Housing Fact Sheet

1. What is Fair Housing?

Fair housing is a set of principles and laws that mandate equal access and opportunity in housing. Fair housing covers all housing-related activities, from search and application to amenities, management policies, terms and conditions plus termination of tenancy. Fair housing covers persons who are members of a protected class which are designated as groups of persons and their families that historically have experienced discrimination. In Massachusetts, those classes are race, religion, national origin, gender, disability, familial status, marital status, sexual orientation, public assistance (including rental vouchers), genetic information, and military status.

2. What does fair housing cover familial status?

It is a fair housing violation to deny equal access and opportunity in housing to families with children under the age of 18. This provision is not restricted to refusal to rent to families with children. Segregating such families or refusing to make services and property amenities available would not be allowable. A property owner can not deny a family with children under the age of 6 an apartment because it has not been dealed. It is the responsibility of the property owner to delead the unit for these families and comply with fair housing.

3. What is included under the protection from discrimination based on public assistance?

You can not be denied housing if you are receiving public assistance such as rental vouchers (for example Section 8 or MRVP), food stamps, transitional assistance, Social Security, or veterans benefits, as long as you can demonstrate that you are able to pay the rent. However, this protection does not prohibit the property owner from doing a credit check.

4. What does fair housing cover military status?

Housing can not be denied to a person because he/she currently serves in the military, is in the National Guard, or is a veteran.

5. Who must follow fair housing laws?

Property owners, developers, condo associations, and homeowner associations are covered parties under fair housing laws. Their employees, such as property managers, clerical staff, maintenance workers and all others are responsible for performing their duties in a manner consistent with fair housing. Attorneys and real estate agents must act and advise their clients in a compliant manner. Other residents in the building or development can be held responsible under fair housing laws and regulations if their behavior is considered to be discriminatory. Developers, architects and contractors can be held liable under the accessible design and construction fair housing mandates for units built for persons with disabilities and their families

6. What types of housing is covered by fair housing?

Fair housing laws apply to most types of housing. The private real estate market and all types of government-funded housing must be compliant. Fair housing laws are not

restricted to rentals. Condos, co-ops “rent-to-own” and single-family ownership units are covered as well.

7. What types of housing activities are covered under fair housing?

Most housing-related activities are covered to some extent by fair housing laws and regulations. Below are some of the more typical activities but this is not an all-inclusive list.

- Advertising
- Tenant screening
- Determination of eligibility
- Leasing
- Policies and their implementation such as “no pets”, “deposits” or “terms and conditions of tenancy”, “housekeeping standards”
- Relations between residents
- Provision of amenities
- Provision of reasonable accommodations and reasonable modifications for persons with disabilities and individuals associated with persons with disabilities
- Eviction and other termination of residency actions

8. Where can I get more information on my fair housing rights?

You can contact the fair housing manager through the MBHP Discrimination Line at (617) 425-6681. He/she will discuss with you your protections under both the state and federal fair housing laws. He/she also can refer you to agencies for advocacy assistance or to file a complaint

9. What can I do if I think that I have been discriminated against?

You can file a fair housing complaint with the federal or state authorities listed below or file a civil action law suit. You also can contact the Fair Housing Center of Greater Boston for advocacy assistance. If you file with the federal or state fair housing authorities, you do not need an attorney and there are no filing fees.

MA Commission Against Discrimination

One Ashburton Place
Rm. 601
Boston, MA 02108
Phone: (617) 994-6000
TTY: (617) 994-6196

Fair Housing Center of Greater Boston

59 Temple Place #1105
Boston, MA 02111
Phone: (617) 399-0491
www.bostonfairhousing.org

Cambridge Human Rights Commission

51 Inman Street, 2nd Floor
Cambridge, MA 02139
Phone: (617) 349-4396
TTY: (617) 492-0235
www.cambridgema.gov/HRC

Boston Fair Housing Commission

1 City Hall Plaza
Boston, MA 0220
Phone: (617) 635.4408
www.cityofboston.gov/civilrights

HUD FHEO Region I

10 Causeway Street
Boston, MA 02222-1092
Phone: (617) 994-8300 or
(800) 827-5005
TTY: (617) 565-5453

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