

Fair Housing

What is the Fair Housing Act?

The federal government and the state of Massachusetts each have their own fair housing laws.

The federal government's Fair Housing Act prohibits discrimination in housing against members of federally recognized protected classes. This law makes it illegal to refuse to rent, sell, negotiate, or make a unit unavailable on the basis of race, color, religion, sex, familial status, ability and national origin. Title VIII of the Civil Rights Act of 1968 is also known as the Fair Housing Act. This piece of legislation not only prohibits discrimination from landlords, property owners and real estate companies, but it includes other housing related entities (municipalities, lending institutions, homeowners insurance companies) and activities (advertising, zoning, new construction design) as well.

Massachusetts further defines fair housing as having the opportunity to buy or rent any home in any neighborhood of a person's choosing subject only to whether the home is within their financial capabilities. The state's law covers nearly all residential land, housing accommodations, commercial space, and all land intended to be put to commercial use within the state's boundaries.

How did the fair housing law come about?

The United States has had a long history of disproportionately providing safe and adequate housing for white Americans compared to people of color. Massachusetts' fair housing law (MGL 151B) was passed in 1946 which prohibits discrimination in housing against protected classes. However, it was not until the mid-twentieth century when the Civil Rights movement started to gain traction throughout the country. The Civil rights movement began in 1954 when African Americans began to fight for equal rights, which included access to safe and adequate housing. The federal government passed the Civil Rights Act in 1964 and Title VIII, the Fair Housing Act, was passed four years later.

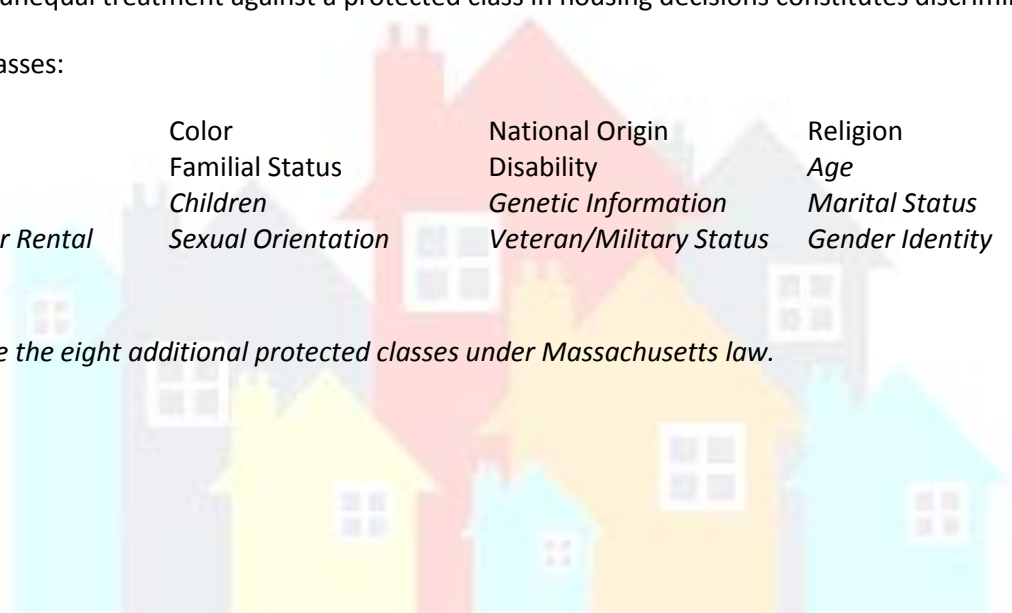
What constitutes discrimination?

Any unequal treatment against a protected class in housing decisions constitutes discrimination.

Protected classes:

Race	Color	National Origin	Religion
Sex/Gender	Familial Status	Disability	Age
Ancestry	<i>Children</i>	<i>Genetic Information</i>	<i>Marital Status</i>
<i>Public and/or Rental Assistance</i>	<i>Sexual Orientation</i>	<i>Veteran/Military Status</i>	<i>Gender Identity</i>

**In italics are the eight additional protected classes under Massachusetts law.*



How to file a complaint

If you are a member of a federally or state recognized protected class and you feel you have been discriminated against as a result of your membership there are resources available to you.

- You may file a complaint with the Massachusetts Commission Against Discrimination. Nonetheless, please keep in mind that investigations take 18-22 months to complete. Contact information for nearby locations is listed below. Please click on the following link for more information about how to file a complaint.

<https://www.mass.gov/how-to/how-to-file-a-complaint-of-discrimination>

- MCAD Boston Headquarters-
 - 1 Ashburton Place, Suite 601, Boston, MA 02108
 - 617.994.6000
 - Monday-Friday 9:00am-4:00pm
- MCAD Worcester Office
 - 484 Main Street, Room 320, Worcester, MA 01608
 - 508.453.9630
 - Monday-Friday 9:00am-4:00pm
- Additionally, you may file a complaint with Massachusetts Attorney General, Maura Healey. If you have been wrongfully evicted or treated unfairly in any way in regard to housing, you are able to file a complaint with the Attorney General even if you are not a member of a protected class mentioned above. Please click on the following link for more information about how to file a complaint online with the Massachusetts Attorney General.

<https://massago.onbaseonline.com/MASSAGO>

