

# Fair Housing Protections

## Familial Status



*Under the Federal Fair Housing Act (FHA), housing providers cannot discriminate against individuals based on familial status.*

### ***This protected class includes:***

- Families with children under 18
- Pregnant individuals
- Individuals seeking legal custody of a minor
- Same-sex parents with children under 18
- Single parents and non-traditional families
- Adoptive and foster parents
- Individuals with written permission to serve as a minor's legal guardian
- Familial status protections do not include marital status.

### **What Does Familial Status Discrimination Look Like?**

It is illegal for landlords, leasing agents, lenders, real estate agents, or other housing providers to limit or deny housing opportunities because someone has children.

### ***Examples of unlawful discrimination include:***

- Advertising that a property or community does not allow children
- Evicting a family after a child joins the household
- Requiring tenants to agree that they will not become pregnant or have children
- Restricting families with children to specific floors, buildings, or areas
- Steering families into units that are larger than necessary
- Charging extra rent, security deposits, or fees because of children
- Claiming no units are available when they actually are
- Imposing unreasonable rules on children's use of common areas (hallways, community rooms, pools, etc.)

### **Who Is Protected?**

#### **To qualify for familial status protection under the FHA:**

- You must be a parent, legal custodian, or designated guardian with written authorization
- The child must be under 18, biologically related, adopted, or already part of your household (or expected to be)

### **Exceptions: Senior Housing**

The FHA permits certain qualified senior housing communities to lawfully restrict residency to adults. These communities are exempt because their purpose and design are specifically for older adults.

### ***These include:***

- Designated retirement communities
- Senior citizen living facilities
- Nursing homes and assisted living facilities



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