

THE FAIR HOUSING RIGHTS OF SENIORS

Federal and State Fair Housing Laws prohibit housing discrimination on the basis of race, color, national origin, religion, gender, disability, marital status, source of income, sexual orientation, and familial status (including children under the age of 18). In addition, the State of California prohibits discrimination based on someone's age, source of income, and arbitrary reasons unrelated to the responsibilities of a tenant.

Source of Income Discrimination

Under California law, it is illegal for a housing provider to deny housing or treat a person or family differently because their source of income comes from other sources other than wages. Some examples include, Social Security, pensions or retirement benefits, disability or Supplemental Security Income (SSI) payments, veteran's benefits, child support, alimony, unemployment insurance payments, etc.

The Housing for Older Persons Act

The Housing for Older Persons Act is an amendment added to the Fair Housing Act in 1995 that exempts some senior complexes from familial status discrimination. The facilities must comply with HUD's requirements and regulations in order to qualify for the exemption, and 80 % of the units in these complexes need to be occupied by at least one person who is 55 years of age or older.

However, the qualified senior facilities must comply with all other provisions of the Fair Housing Act and are not exempt from housing discrimination based on race, color, religion, sex, national origin and disability.