

# Housing Discrimination is ILLEGAL

Under federal fair housing laws, it is illegal to discriminate in the sale, rental, or financing of housing based on disability, race, color, national origin, religion, sex/gender, and familial status. California law adds protections based on sexual orientation, marital status, source of income, or any other arbitrary reason such as age or immigration status.

## Fair Housing Laws:

- Protect domestic violence victims in both subsidized and non-subsidized housing when landlords evict or refuse to rent to tenants based on their status as a domestic violence survivor or based on gender stereotypes.
- Prohibit housing providers and their employees from subjecting tenants to sexual harassment, asking for sexual favors to obtain or keep housing or services, or retaliating against tenants for refusing sexual advances.

## Contact Us:

Contact Fair Housing Advocates of Northern California if you are a victim of sexual harassment in your housing, or if you are evicted or threatened with eviction after a domestic violence incident: (415) 457-5025 or [fhanc@fairhousingnorcal.org](mailto:fhanc@fairhousingnorcal.org)

# Fair Housing Advocates of Northern California



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Wheelchair accessible  
Se habla español

## Our Mission

To ensure equal housing opportunity and educate the community on the value of diversity in our neighborhoods.

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# LEGAL PROTECTIONS FOR VICTIMS OF DOMESTIC VIOLENCE OR SEXUAL HARASSMENT



**FAIR HOUSING ADVOCATES OF NORTHERN CALIFORNIA**

[www.fairhousingnorcal.org](http://www.fairhousingnorcal.org)



## Possible Violations of Your Rights

### Sexual Harassment

- Your landlord touches you without consent.
- Your maintenance person makes unwelcome sexual comments.
- Your landlord enters your home without notice.
- Your landlord asks for sexual favors in exchange for housing or housing services.
- Your landlord retaliates against you for denying sexual favors.
- You report that your neighbor harassed you, but the manager ignores your complaints.

### Domestic Violence

- Your landlord evicts you or threatens to evict you after a domestic violence incident.
- You lose your housing voucher after being a victim of domestic violence.
- Your housing provider claims he/she has a “Zero Tolerance” policy for violence in your complex, with no exceptions.
- A landlord refuses to rent to you because you are a victim of domestic violence.

## Legal Protections

### Violence Against Women Act (VAWA)

- Protects survivors of domestic violence and their families who live in federally subsidized housing. A housing provider cannot deny housing or evict a tenant because the tenant is a victim of domestic violence.
- Permits the landlord or housing authority to make policy exceptions to allow a domestic violence victim to transfer to another unit in order to preserve safety, or to split the lease or partially terminate a Section 8 voucher to evict the abuser, while letting the victim and other family stay.

### What You Need to Know about VAWA

- **What is covered?** Domestic violence, violent crimes by a spouse/partner/cohabitant (current or former), dating violence, sexual assault, and stalking
- **Who is covered?** Women and men, immediate family members, and anybody who lives in the household
- **What housing types are covered?** Public housing, private housing that accepts Section 8, project-based Section 8 housing, and housing regulated by other programs
- **What proof should be provided?** Self-certification, police/court/administrative record, or a statement from a third party



### Domestic Violence

- **Disparate Treatment** is when a housing provider's policy or treatment of a domestic violence survivor is based on gender-based stereotypes or the status as a domestic violence survivor. For example, a landlord evicts a female tenant who is victim of domestic violence for noise disturbance during an assault; when she explains that she and her abusive husband have since split up he still refuses to let her stay because “women always go back to their abuser.”
- **Disparate Impact** is a neutral policy that has a disparate impact on survivors of domestic violence, 85% of whom are women. An example is a “Zero Tolerance” policy that allows the landlord to evict any tenant if the police are called to the unit.

### Sexual Harassment

- **Quid Pro Quo:** Conditioning provision of housing on acquiescence to sexual advances
- **Hostile Housing Environment:** Unwelcome spoken, written, or physical conduct that is sufficiently severe or pervasive as to interfere with or deprive a victim of the right to use and enjoy housing