

# Fair Housing Information for Parents and Guardians

Federal laws make it illegal for housing developers, landlords and even homeowners associations to deny housing to families with children or to place unreasonable restrictions on children.

## **You Cannot be Denied Housing because You Have a Child**

Although it has been illegal for many years, many housing developments and apartment buildings still have rules prohibiting families with children or families expecting a child. With the exception of senior housing and small properties where the owner resides, such provisions are always illegal. The U.S. Department of Housing and Urban Development (HUD) takes these matters seriously and will take action when it sees housing developments keep parents out.

*For example, a parent reported that an apartment building in Illinois refused to rent to her because of her child. The parent wished to remain anonymous, so a local fair housing organization sent testers to the property to see if they treated families with children different from applicants without children. The tests revealed that the property owner discouraged families with children from renting apartments and informed parents that the units were for single people. The fair housing organization filed a complaint with HUD. After a thorough investigation, HUD charged the owners with discrimination against families with children.*

## **You Cannot be Evicted from Housing because You Have a Child**

While the birth of a child is usually a time for celebration, some landlords feel it is also the time for new parents to find another place to live. Though such actions are illegal, some facilities evict parents because they are expecting or have given birth to, adopted, or obtained custody of a child.

*For example, a mom in Las Vegas obtained custody of her daughter. Less than a month later, the apartment manager told her to find a new place to live because children were not allowed on the property. The mom filed a complaint with HUD, whose investigation uncovered that the management had forced other tenants to leave when they were pregnant or obtained custody of their children. The apartment complex agreed to settle with the mom and other families who were mistreated.*

## **Families Cannot be Restricted to One Area of a Building or Complex**

Some housing complexes allow families but restrict them to lower floors or to certain areas of the property. Both restrictions are illegal.

*For example, a mom wanted to find an affordable home in a good school district for her two children. She thought she located an ideal townhouse in a new development. When she inquired about buying the home, the salesperson informed her that her children were not wanted in the neighborhood and would be the only ones there. The salesperson then informed her that no townhomes were available. The mom filed a complaint with the State, which handled the case under an agreement with HUD and negotiated a settlement for the mother.*

## **Rules Cannot Unfairly Target Children**

Many parents are unaware that it is illegal for landlords to make rules specifically against children. For example, a landlord cannot forbid children from a common area that adults are allowed to use.

*Recently, six families in St. Louis settled complaints against their apartment complex for overly restrictive rules against children. The landlord had required anyone under the age of 18 to be supervised anytime they were outside of their apartments. The rule was so strict that teenagers were not allowed to talk to their friends in the hallway without a parent present. The apartment agreed to settle and compensate the families and create an after school program for children on the property.*

### **Advertisements Cannot State that Children are Not Wanted**

No property, other than seniors-only housing, is allowed to advertise that it is restricted to adults or that it will not allow children.

*For example, a woman was searching for an apartment for herself and her 10-year-old son because her landlord had recently raised the rent by a few hundred dollars a month. She saw a "For Rent" sign on a gray flagstone property in her neighborhood that she thought would be perfect. The sign read "For Rent for two persons, Apartment Two Bedroom, No kids..." The woman filed a complaint with HUD and a judge ordered the owner to pay the woman a sum of money.*

### **Interesting Fact**

Of the 10,000 complaints HUD and State and local agencies investigate each year, nearly 1,500 allege discrimination because of children.