

Fair Housing Success Stories in Greater Cleveland Area Shelters:

- Guide dogs and other service animals are permitted within the shelters when necessary to assist someone with a disability.
- Cuyahoga County implemented the guidelines within the HUD LGBT Rule on gender identity protections within the shelters. Individuals are permitted to live in the shelter of the gender with which they identify or present.
- If an individual does not feel safe from sexual harassment in their assigned shelter setting, return to Coord. Intake for a new referral.

Sex Discrimination & Domestic Violence

Sex is a **protected class** under federal and state Fair Housing laws. This includes **protection** against **sexual harassment** and **intimidation**.

Courts have held that victims of **domestic violence** can be protected under the fair housing laws when actions taken against them result from **gender stereotypes** or when housing rules or requirements have a **unequal impact** on victims of domestic violence. For example, a housing provider cannot have a rule against renting to victims of domestic violence because they believe the abuser will return and damage the property.

The Violence Against Women Act (VAWA) includes specific protections for victims of domestic violence, dating violence, or stalking in federally assisted housing. This includes Public Housing, Subsidized Housing, the Housing Choice Voucher Program, Rural Development Housing, and Low-Income Housing Tax Credit Housing.

Fair Housing Organizations provide assistance to victims of housing discrimination including:

- Education about their fair housing rights including the right to file a free administrative complaint of housing discrimination
- Advocacy/intervention with their housing provider when education or assistance may resolve a fair housing dispute
- Initial investigation to gather further evidence of housing discrimination before a formal complaint is filed
- Assistance preparing and filing a formal complaint of housing discrimination

Local Fair Housing Organization:

Housing Research & Advocacy Center
2728 Euclid Avenue, Suite 200
Cleveland, OH 44115

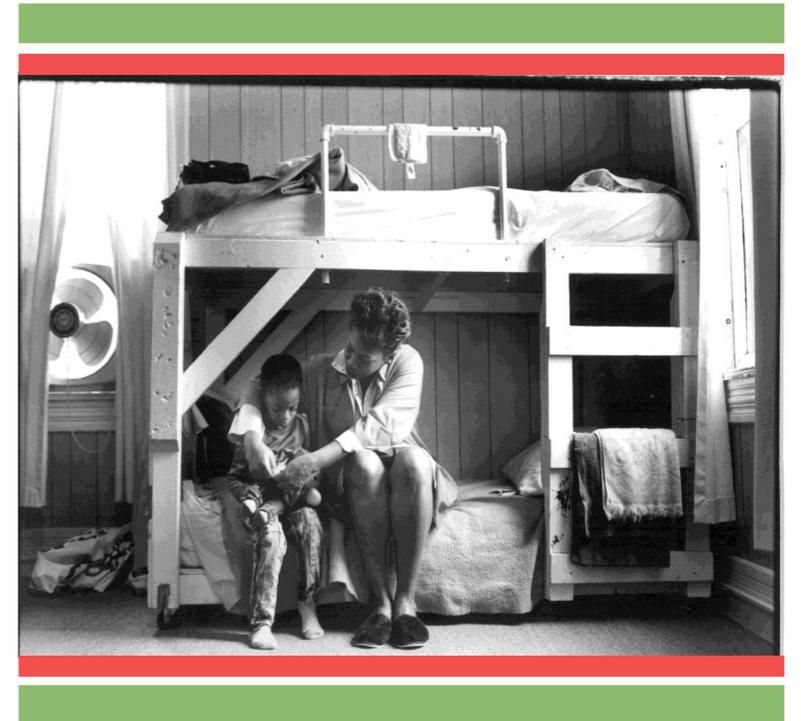
Call for Help: (216) 361-9240

Fair Housing Enforcement Agencies investigate complaints of housing discrimination and issue a determination as to whether or not the fair housing law they enforce was likely violated. If the evidence indicates discrimination in violation of the law likely occurred a formal complaint may be issued and a public hearing may be scheduled before an administrative law judge.

Ohio Fair Housing Enforcement Agencies:

Ohio Civil Rights Commission
615 W. Superior Avenue, Suite 885
Cleveland, OH 44113
(216) 787-3150

The Fair Housing Rights of People in Shelter



Call for Help: (216) 361-9240

Fair Housing is a Civil Right Afforded to All People

The following are “protected classes” under the Federal Fair Housing Act. The Fair Housing Act prohibits discrimination in housing based on:

- Race/color
- National origin
- Religion
- Sex
- Familial status
- Disability



Note: HUD investigates complaints by victims of domestic violence or sexual harassment as well as complaints of discrimination for non-conformity with sex role stereotypes based on sexual orientation or gender identity under the umbrella category “sex”.

Ohio Fair Housing law also prohibits discrimination because of ancestry and military status.

*Local fair housing laws often provide additional protection. Go to thehousingcenter.org to see if your city has additional protections.

Examples of prohibited discrimination include:

- Denying someone housing
- Charging higher rent or security deposit
- Segregating people within housing
- Steering people to certain housing opportunities
- Not telling people about all available housing opportunities for which they qualify
- Lying and saying that housing is not available when it actually is available

These actions are all prohibited if taken **because** someone belongs to one or more protected classes.

It is also **illegal** to **threaten, coerce, intimidate, or interfere** with one exercising a fair housing right or assisting others who exercise that right. Contact a fair housing advocate or enforcement agency (**listed on last page**) if you have experienced discrimination or **retaliation** for exercising your fair housing rights.

Sexual Orientation & Gender Identity

The Equal Access to Housing in HUD Programs Regardless of Sexual Orientation or Gender Identity Rule, or the HUD LGBT Rule, requires equal access in HUD-funded programs based on actual or perceived sexual orientation, gender identity, or marital status. This includes homeless shelters, transitional housing, subsidized and public housing, and the Housing Choice Voucher Program.

You have a right to be placed in a shelter of the gender with which you identify.

As of March 2016, the following **Cuyahoga County municipalities** prohibit discrimination because of sexual orientation or gender identity within their fair housing laws:

Sexual Orientation:

Brook Park, Cleveland, Cleveland Heights, Cuyahoga Heights, East Cleveland, Euclid, Lakewood, Linndale, Maple Heights, Newburgh Heights, North Olmsted, Shaker Heights, South Euclid, University Heights, Warrensville Heights. (These communities only have temporary shelters.)

Gender Identity:

Cleveland, Cleveland Heights, East Cleveland, Euclid, Lakewood, Linndale, Maple Heights, Shaker Heights, South Euclid, University Heights, Warrensville Heights.

Disability

A person has a covered disability if they:

- Have a **physical and/or mental impairment** which substantially limits one or more **major life activities**
- Have a **record of having such an impairment**, or
- Are **regarded as having such an impairment**.

Protection from discrimination extends to **people associated with or residing with someone with a disability.**



Covered Disabilities

- Mental illness
- Hearing, mobility, and visual disability
- Cancer
- HIV/AIDS
- Cognitive & developmental disabilities
- Past alcohol or drug addiction

Not Covered

- Current users of illegal drugs
- Anyone who poses a direct threat to the health and safety of others or causes substantial physical damage to property

Service & Support Animals

A housing provider can:

- Ask for proof of a connection between the need for the animal and the disability
- Exclude service animals from a housing complex when the animal’s behavior constitutes a threat and its owner takes no effective action to control the animal’s behavior



A housing provider cannot:

- Charge a “pet deposit” for a service animal
- Exclude a service or support animal based upon breed, weight, size, or species
- Exclude an assistance animal for a speculative risk

Filing a Fair Housing Complaint:

- **STEP 1** – Contact a local fair housing agency (**listed on back**). You have **up to one year** from the date the alleged discrimination took place to file an administrative complaint. This free process does not require an attorney.
- **STEP 2** – Once a fair housing complaint is filed, **mediation** will be offered. If mediation is successful, the complaint can be settled at this step.
- **STEP 3** – If mediation is unsuccessful (the complainant and respondent cannot come to an agreement), the case is referred for investigation.