



FAIR HOUSING FOR OWNER- OCCUPIED HOMES

A Guide for Homeowners, Sellers,
Real Estate and Insurance Agents,
and Homeowners and Condominium
Associations in the Baltimore Region



Baltimore
Metropolitan
Council

The Baltimore Regional Fair Housing Group consists of representatives from Baltimore City and Anne Arundel, Baltimore, Harford and Howard Counties, jurisdictions that receive federal housing funds directly from the U.S. Department of Housing and Urban Development (HUD). This booklet is part of the work of the Baltimore Regional Fair Housing Group and its member jurisdictions to affirmatively further the goals of the Fair Housing Act.

The Fair Housing Group thanks Baltimore Neighborhoods, Inc. and the Maryland Commission on Civil Rights for their review and assistance in compiling this booklet. The Fair Housing Group also thanks HUD for its support under the Fair Housing Initiatives Program (FHIP) Education and Outreach Initiative.

BALTIMORE REGIONAL FAIR HOUSING GROUP

*c/o Dan Pontious
Baltimore Metropolitan Council
Offices @ McHenry Row
1500 Whetstone Way, Suite. 300
Baltimore, MD 21230
410-732-0500 x1055
dpontious@baltometro.org*



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Individuals and families wanting to buy a home in the Baltimore metropolitan area are protected against discrimination by federal, state, and local laws.

THIS BOOK SERVES THE FOLLOWING PURPOSES:

It provides general information on:

- The laws that prohibit discrimination in many of the jurisdictions in the Baltimore metropolitan area,
- Where you can go for more detailed information.

For homebuyers, it provides information on where you can file a complaint.



FAIR HOUSING PROTECTIONS

The federal Fair Housing Act and state and local laws protect people from many kinds of discrimination. Protections are noted on the table opposite this page. Federal and Maryland protections apply everywhere in Maryland.

PROTECTED CLASS	FEDERAL FAIR HOUSING ACT	MARYLAND CIVIL RIGHTS LAW	CITY OF ANNAPOLIS	ANNE ARUNDEL COUNTY	BALTIMORE CITY	BALTIMORE COUNTY	HARFORD COUNTY	HOWARD COUNTY
RACE	●	●	●	No local law - As in other jurisdictions, Federal and Maryland protections apply.**	●	●	●	●
COLOR	●	●	●		●	●	●	●
NATIONAL ORIGIN	●	●	●		●	●	●	●
RELIGION	●	●	●		●	●		●
SEX	●	●	●		●	●	●	●
DISABILITY*	●	●	●		●	●	●	●
FAMILIAL STATUS*	●	●	●		●		●	●
MARITAL STATUS		●	●		●	●	●	●
SEXUAL ORIENTATION		●	●		●	●		●
GENDER IDENTITY*		●			●	●		●
AGE*					●	●	●	●
CREED						●	●	●
OCCUPATION							●	●
POLITICAL OPINION							●	●
PERSONAL APPEARANCE							●	●
SOURCE OF INCOME			●		***			●
ANCESTRY					●			

*More information further in booklet

**Anne Arundel County Executive Order 26 establishes the County Human Relations Commission, which has no statutory enforcement power but whose objective is to receive and refer complaints of discrimination based upon race, creed, color, age, sex, disability, political affiliation, marital status, or national origin.

***The City of Baltimore protects some sources of income (alimony and child support), but not others, such as rental assistance.

WHAT IS PROHIBITED?

A person selling housing is generally prohibited from doing the following based solely on the potential homebuyer's membership in a protected class identified in the table on page 5:

- Refuse to sell housing
- Refuse to negotiate for housing
- Otherwise make unavailable or deny a dwelling
- Set different terms, conditions, or privileges for sale of a dwelling
- Provide different housing services or facilities
- Falsely deny that housing is available for inspection or sale
- For profit, persuade, or try to persuade homeowners to sell (or rent) dwellings by suggesting that people of a particular race, etc. have moved, or are about to move into the neighborhood (blockbusting)
- Attempt to steer persons into or away from neighborhoods or developments
- Deny any person access to, or membership or participation in, any organization, facility, or service related to the sale of dwellings (such as a listing service), or discriminate against any person in the terms or conditions of such access, membership, or participation.

WHAT ARE EXCEPTIONS?

In some circumstances, the Fair Housing Act and other laws exempt:

- Owner-occupied buildings with no more than four units
- Single-family housing sold without the use of a broker
- Housing operated by organizations and private clubs that limit occupancy to members
- Some senior housing facilities and communities are exempt from liability for discrimination based on familial status.

Please contact one of the agencies listed on page 14 for more specific information on any of these exemptions.

WHAT ARE PROTECTIONS IN OBTAINING A MORTGAGE?

In general, no one may take any of the following actions based on the protected classes in the table on page 5:

- Refuse to make a mortgage loan
- Refuse to provide information regarding loans
- Impose different terms or conditions on a loan, such as different interest rates, points, or fees
- Discriminate in appraising property
- Refuse to purchase a loan
- Set different terms or conditions for purchasing a loan

ADDITIONAL PROTECTIONS

No one may:

- *Refuse to consider both applicants' incomes*
- *Threaten, coerce, intimidate, or interfere with anyone exercising a fair housing right or assisting others who exercise the right*
- *Commit acts of prejudice, violence, harassment, intimidation, or abuse directed against families or individuals or their residential property.*

No one may, on the basis of a class identified in the table on page 5:

- *Make, print, or publish any statement, in connection with the sale of a dwelling, which indicates a preference, limitation, or discrimination. This prohibition applies to single-family and owner-occupied housing that is otherwise often exempt from the laws that prohibit discrimination in housing.*
- *Make, print, or publish any statement, in conjunction with the provision of homeowner's insurance coverage, which indicates a preference, limitation, or discrimination.*

No one may, on the basis of a protected class identified in the table on page 5 of either the owner or occupants of a dwelling:

- *Refuse to provide homeowners insurance coverage*
- *Discriminate in the terms or conditions of homeowners insurance coverage*
- *Refuse to provide available information on the full range of homeowners insurance coverage options available*

FAMILIAL STATUS

In general, familial status protections cover:

- *Households in which one or more children under 18 years old live with:*
 - *A parent*
 - *A person who has legal custody (including guardianship)*
 - *The designee of a parent or legal custodian (designated with written permission)*
- *A pregnant woman*
- *Any person in the process of securing legal custody of a child under 18.*

As a result of this protection, sellers and real estate and insurance agents are not allowed to ask prospective homebuyers about birth control or family planning practices.

The Fair Housing Act and other laws specifically exempt some senior housing facilities and communities from liability for discrimination based on familial status. (They are not exempt from liability for other forms of housing discrimination.) Please contact one of the agencies listed on page 14 if you need more details on exactly which senior facilities and communities qualify for this exemption.



ADDITIONAL PROTECTIONS FOR PEOPLE WITH DISABILITIES

Fair housing protections generally apply if a person or someone associated with a person:

- *Has a physical or mental disability (including hearing, mobility, and visual impairments, cancer, chronic mental illness, HIV/AIDS, or being in recovery from substance abuse) that substantially limits one or more major life activities,*
- *Has a record of such a disability, or*
- *Is regarded as having such a disability.*

These protections do not apply to a person who:

- *Is a direct threat to the health or safety of others or*
- *Currently uses illegal drugs or uses legal drugs illegally*

If these fair housing protections apply, a housing provider (including a homeowners' or condominium association) may not do the following:

- *Refuse to let a homeowner or prospective homeowner make reasonable modifications to his/her dwelling or common use areas, at the homeowner's expense, if it is necessary for the homeowner to fully use the housing.*
- *Refuse to make reasonable accommodations in rules, policies, practices, or services if it may be necessary for the homeowner to use the housing on an equal basis with persons who do not have disabilities. (For example, a condominium pet policy may not be applied to a homeowner or prospective homeowner who has an assistance, service, or companion animal to address his or her disability.)*

SEXUAL ORIENTATION AND GENDER IDENTITY

The federal Fair Housing Act does not specifically include sexual orientation and gender identity in the protected classes. However,

- *The State of Maryland and some local governments do specifically prohibit discrimination based on sexual orientation (see table on page 5).*
- *The State of Maryland (effective October 1, 2014), Howard and Baltimore Counties, and Baltimore City specifically prohibit discrimination based on gender identity (also noted in table on page 5).*
- *Some sexual orientation or gender identity housing discrimination may still be covered by other federal Fair Housing Act protections, such as discrimination on the basis of a person's sex.*
- *HUD regulations prohibit Federal Housing Administration (FHA)-insured lenders from taking actual or perceived sexual orientation into consideration in determining adequacy of an applicant's income.*

AGE

Baltimore County and Howard County law protects against age discrimination generally. Other jurisdictions enforce this protection in particular ways:

- *In Baltimore City, age is defined as the "Age of Majority" and refers to anyone who has attained the age of eighteen years.*
- *Harford County enforces discrimination against people age 40 and above.*

FOR MORE INFORMATION OR TO FILE A COMPLAINT

The following organizations and agencies are available to help homebuyers, sellers, agents, and associations by answering questions about Fair Housing rights. Additionally, please contact the agency or organization in your area if you believe that you have been the victim of housing discrimination.

Maryland Commission on Civil Rights

6 Saint Paul St., Ste. 900
Baltimore, MD 21202-1631
1-800-637-6247
www.mccr.maryland.gov
A fair housing complaint can be initiated with the Commission by phone, online, by mail, or in person.

U.S. Dept. of Housing and Urban Development Baltimore Fair Housing & Equal Opportunity (FHEO) Center

10 S. Howard St., 5th Floor
Baltimore, MD 21201
410-962-2520
Or file a complaint online:
www.hud.gov/fairhousing
Click on "File a Complaint"
Or go straight to:
<https://portal.hud.gov/FHEO903/Form903/Form903Start.action>

Annapolis Human Relations Commission

145 Gorman St., 2nd Floor
Annapolis, MD 21401-2535
410-263-7998
www.ci.annapolis.md.us/government/Boards/HumanRelations.aspx

Anne Arundel County Human Relations Commission

44 Calvert St., Room 330
Annapolis, MD 21401
410-222-1220
www.aacounty.org/countyexec/humanrelations.cfm

Baltimore City Office of Civil Rights & Wage Enforcement

10 N. Calvert St., Suite 915
Baltimore, MD 21202
410-396-3141
www.baltimorecity.gov/Government/BoardsandCommissions/OfficeofCivilRightsandWageEnforcement/CommunityRelationsCommission.aspx

Baltimore County Human Relations Commission

Drumcastle Government Center
6401 York Rd., Suite 1013
Baltimore, MD 21212
410-887-5917
www.baltimorecountymd.gov/Agencies/humanrelations

Harford County Office of Human Relations

220 S. Main St.
Bel Air, MD 21014
410-638-4739
www.harfordcountymd.gov/services/HumanRelations

Howard County Office of Human Rights

6751 Columbia Gateway Dr., Suite 239
Columbia, MD 21046
410-313-6430
www.howardcountymd.gov/Departments.aspx?Id=1777

Baltimore Neighborhoods, Inc.

2530 North Charles St.
Baltimore, MD 21218
410-243-4400
www.bni-maryland.org

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Baltimore Regional Fair Housing Group
c/o Dan Pontious
Baltimore Metropolitan Council
Offices @ McHenry Row
1500 Whetstone Way, Ste. 300
Baltimore, MD 21230
410-732-0500 x1055
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This educational booklet has been created by the Baltimore Regional Fair Housing Group, a committee of the Baltimore Metropolitan Council (BMC), in consultation with these partners:

