



FHA 50
FAIR HOUSING ACT
1968 • 2018



A colorful illustration of a family of four (a purple child, a red adult, a blue adult, and an orange child in a wheelchair) standing under a black roof. A green bush is on the left.

**Affirmatively
Furthering
Fair
Housing**



DEPARTMENT OF AGRICULTURE
TEXAS

**Office of
Rural Affairs**

Civil Rights Act of 1968 (Fair Housing Act)

- Signed into law by President Johnson on April 11, 1968, a week after MLK assassinated.
- The Act prohibits the discrimination on the basis of **race, color, national origin, religion, familial status, or disability** in the sale, rental, or financing of a home.
- In 1974 Congress amended the Fair Housing Act to include **gender** as a protected class



Fair Housing Amendments Act of 1988

- In 1988 Congress passed the Fair Housing Amendments Act which added **disability** and **familial status** (families with children) as protected classes
- The 1988 Act signed into law by President Reagan enhanced the power of the U.S. Dept. of Housing and Urban Development (HUD) to enforce federal fair housing law.
 - Established HUD “Administrative Law Judge” (ALJ) with the authority to adjudicate complaints of discrimination.



Seven Protected Classes

The Fair Housing Act prohibits discrimination in housing opportunities for seven (7) protected classes:

- Race
- Color
- Religion
- National Origin
- Gender
- Disability
- Familial Status



Housing and Community Development Act

In 1974 Congress passed the Housing and Community Development Act (HCDA)

- Created the Community Development Block Grant (CDBG) Program.
- The HCDA requires CDBG grantees and subgrantees to certify that they will affirmatively further fair housing (AFFH).



Affirmatively Furthering Fair Housing (cont.) (AFFH)

What is AFFH? HUD'S Definition:

Taking meaningful actions to...

- overcome historic patterns of segregation,
- promote fair housing choice, and
- foster inclusive communities that are free from discrimination.

Federal law (HCDA) requires for block grant recipients to promote fair opportunities for any person to live in affordable, decent, safe, and sanitary housing in neighborhoods of their choice.

Community Development Block Grant (CDBG)

The CDBG Program administered by TDA promotes AFFH principles by funding infrastructure vital to the improvement and viability of rural communities.

Examples of projects that enhance neighborhoods and allow low-to-moderate income residents greater access to community assets:

- First-time public water and sewer projects
- Community centers
- Parks
- Housing rehabilitation
- Improved fire safety through fire stations and fire fighting equipment

Grant Recipients who receive TxCDBG funding must conduct at least one activity during the contract period to affirmatively further fair housing.

Suggested Ideas for Meeting the Fair Housing Activities Requirement

- Conduct a community-wide housing analysis to determine impediments to fair housing and implement actions to eliminate these impediments.
- If the Grant Recipient is a city, pass a fair housing ordinance. Also, publicize the existence of such an ordinance (e.g., newspaper advertisement, or fliers enclosed in utility bills).
- If the Grant Recipient is a county, adopt written fair housing policies and procedures that are equivalent to a fair housing ordinance and publicize the existence of the policies/procedures (e.g., newspaper advertisement).
- Sponsor or fund fair housing counseling/referral services for owners and renters.

Suggested Ideas for Meeting the Fair Housing Activities Requirement (cont.)

- Have a written local complaint and monitoring process and notify the public of its existence through newspaper advertisements, or through notices in utility statements.
- Promote housing opportunities outside historically minority and/or low and moderate-income neighborhoods.
- Designate April or any other month as "Fair Housing Month" by Proclamation or Resolution along with another sponsoring activity.
- Utilize local businesses and banking institutions to promote fair housing by displaying fair housing posters.

Suggested Ideas for Meeting the Fair Housing Activities Requirement (cont.)

- Announce the Grant Recipient's support of fair housing by means of newspaper advertisements, marquis displays, or public service announcements.
- Conduct free training workshops on fair housing laws to homebuyers, rental property owners, and tenant organizations.
- Sponsor a poster contest or essay writing contest at local schools to educate and promote fair housing.
- Review local zoning laws and procedures to determine whether they contribute to, or detract from, fair housing choice.
- Find ways to inform builders and architects as early as possible in the project design phase, but certainly no later than the issuance of a building permit, of the need to comply with the accessibility requirements of the Fair Housing Act.

Filing Fair Housing Complaints

The Texas Workforce Commission (TWC) is the entity responsible for enforcing the Fair Housing Act in the State of Texas.

Texas Workforce Commission
 Civil Rights Division
 1117 Trinity Street, Room 144-T
 Austin, Texas 78701
 (512) 463-2624
 TTY: 512-371-7473
HousingComplaints@twc.state.tx.us

Complaints can also be made directly to HUD. Citizens have one year after an alleged violation to file a complaint. Complaints can be filed by email, fax, phone call, hand delivery or mail.



Questions

