

“Maryland Fair Housing”

(MD Course #036-2634-C)

(DC Course #12406)



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HISTORY OF FAIR HOUSING IN AMERICA

Not surprisingly, the beginning of housing discrimination in America can be traced to the first colonial settlements. Even in the early 1600's, in the Jamestown Colony, there were differences in the treatment of black and white indentured servants. As the colonies grew, slavery of people of African descent became increasingly common. For the most part, slavery was not considered immoral by society.

Neither the Declaration of Independence nor the American Revolution produced any rights or freedom for the black man. Even Article I of the U.S. Constitution treated slaves as three fifths of a person for purposes of determining a state's population for representation in Congress.

Prior to the Civil War, the courts refused to recognize any rights for persons of African descent, whether they were slaves or free. The federal government did nothing to prohibit discrimination, and even those states that had abolished slavery treated blacks as inferior. The ideology of the time is well illustrated in the 1857 U.S. Supreme Court case entitled *Dred Scott v. Sanford*, in which the Court held that persons of African descent were not citizens of the United States entitled to any rights. According to the Court, the black man had no rights the white man was bound to respect. The Court stated that this principle applied to all black persons, slave or free:

In the opinion of the court, the legislation and histories of the times, and the language used in the Declaration of Independence, show that neither the class of persons who had been imported as slaves, nor their descendants, whether they had become free or not, were then acknowledged as a part of the people, nor intended to be included in the general words used in that memorable instrument.

Shortly before the Civil War, the abolitionist movement gained strength. Abraham Lincoln's emancipation proclamation at least on paper marked the end of slavery, although it did little to advance modern day civil rights. At the end of the Civil War, the Thirteenth Amendment was enacted to abolish slavery and to give Congress authority to enact appropriate legislation to enforce the abolishment of slavery. In 1866, the Reconstruction Congress passed the Civil Rights Act of 1866, which guaranteed property rights to all citizens regardless of race. The act specifically provides that all citizens shall have the same rights as white citizens to inherit, purchase, and sell real and personal property. Governmental discrimination was also prohibited by the Fourteenth Amendment (enacted in 1868) and the Fifth Amendment's due process clause that applies to the federal government.

But soon thereafter, the nation's commitment to civil rights deteriorated. In retrospect, the 1866 Civil Rights Act guarantee of equal rights to all races was, unfortunately, an empty promise. For over a century, the courts prohibited racial discrimination only with regard to state (governmental) discrimination, such as racial zoning or the court enforcement of racially restrictive covenants governing real property. Therefore, the 1866 Act was essentially ineffective in combating private discrimination.

The first major setback to the legal rights of African Americans came in the U.S. Supreme Court's decision in the Civil Rights Case (1883). In that case, the Court held that the equal protection clause of the U.S. Constitution (i.e., the 14th Amendment) did not prohibit private acts of discrimination, rather it merely prohibited discrimination that was the product of

government action. A few years later, the U.S. Supreme Court made its infamous ruling in *Plessy v. Ferguson* (1896), which held that the enforcement of racial segregation of private or public facilities did not violate the U.S. Constitution as long as the separate facilities were equal. This ruling permitted institutionalized segregation in the United States. The *Plessy* case was not overruled until 1954, almost six decades later.

On the other hand, some of the more blatant forms of racial discrimination by the government were outlawed by the Court. In 1917, in *Buchanan v. Warley*, the U.S. Supreme Court struck down a local zoning law that limited African Americans and other minorities to specific areas of town. The Court held that governmental zoning laws that discriminate, based upon race, violate the equal protection clause of the Fourteenth Amendment. This court case did not, however, ban any form of private discrimination. Again, private persons were free to discriminate based upon race.

In 1948, in *Shelley v. Kraemer*, the U.S. Supreme Court held that state court enforcement of a private racially restrictive covenant constituted a sufficient government involvement so as to violate the equal protection clause of the Fourteenth Amendment. Therefore, persons could not use the court system to enforce racial deed restrictions.

Although some states and municipalities enacted fair housing laws, the federal government neglected to pass any laws to prevent housing discrimination. In fact, to a certain extent, the federal government was counterproductive in efforts to defeat segregation. For example, the Federal Housing Administration (FHA) instructed its staff and appraisers to consider the racial makeup of a neighborhood. Also, it is important to note that discrimination in housing was certainly not limited to African Americans. Other minorities and religious groups were commonly discriminated against, as were women.

Finally, in 1954, the U.S. Supreme Court rendered its landmark decision in *Brown v. Board of Education*, reversing the "separate but equal" decision in *Plessy*. The *Brown* case outlawed segregation in schools and marked the beginning of the end of the era of legalized segregation.

In November 1962, President Kennedy signed an executive order, entitled *Equal Opportunity in Housing*, prohibiting discrimination in housing that is owned, operated or assisted by the federal government. The order required federal agencies to take action to prevent discrimination based upon race, color, creed or national origin. Although the executive order was the first federal anti-discrimination initiative of the 20th century, it had limited impact on the housing market.

Two years later, Congress enacted Title VI to the Civil Rights Act of 1964, which prohibited discrimination in programs receiving federal financial assistance. Once again, this Act had little effect since it did not prohibit discrimination in the private housing market.

The real change in fair housing came in 1968, a year that is considered the birth of modern fair housing. In addition to the assassination of Rev. Martin Luther King, Jr., two historic events occurred that year that forever changed the housing market.

First, in April, Congress enacted the Fair Housing Act (Title VIII of the Civil Rights Act of 1968). This Act bans discrimination on the basis of race, color, religion, and national origin in most types of housing transactions. The Act also contains a variety of remedies to attack housing discrimination, including private discrimination. Second, in June, the U.S. Supreme Court rendered its decision in *Jones v. Alfred H. Mayer Co.*, and held that the Civil Rights Act of 1866 banned private, as well as government, racial discrimination in housing. Thus the 1866 Act was given new life, and could be used to fight racial discrimination.

The Fair Housing Act outlaws a variety of private discriminatory acts, including refusal

to rent or sell, discrimination in the terms of sale or rental, blockbusting, and discrimination in advertising and in the use of real estate services. In 1974, the Fair Housing Act was expanded to include prohibition of gender discrimination, and Section 8 programs were created. In the same year, Congress passed the Equal Credit Opportunity Act, which prohibited credit discrimination in housing on the basis of race, color, religion, national origin, gender or marital status, and age.

In the 1970's various federal legislation was enacted to prohibit discrimination in federal programs, and to include additional protected classes. Congress enacted Section 504 of the Rehabilitation Act of 1973, prohibiting discrimination against handicapped persons in all federally assisted programs, including housing. Later, Congress enacted the Age Discrimination Act of 1975, which prohibited discrimination on the basis of age in programs receiving federal financial assistance. In 1980, President Carter expanded Kennedy's executive order to include gender-based discrimination, and to grant HUD additional authority to issue regulations to further fair housing in federal programs.

After the enactment of the Fair Housing Act, the U.S. Supreme Court rendered several important decisions favorable to attacking housing discrimination. In 1972, the Court held in *Trafficante v. Metropolitan Life Insurance Co.* that the Fair Housing Act should be broadly construed, and that HUD's interpretation of the act should be given great weight. As a tremendous, practical importance, the Court also upheld the right of housing organizations and other residents to sue persons or municipalities that violated the Fair Housing Act. In 1982, the Court rendered an important decision entitled *Havens Realty Corp. v. Coleman*, which permitted housing organizations and testers to sue in racial steering cases. These court cases enable private and public organizations to investigate fair housing violations and to file actions for civil penalties and damages.

On September 13, 1988, former President Ronald Reagan signed the Fair Housing Amendments Act of 1988. The Amendment became effective March 12, 1989. The 1988 Amendment was enacted to expand the coverage of the Fair Housing Act and to enhance enforcement of the act.

The 1988 Amendment made major changes to Title VIII, including adding two protected classes to the Fair Housing Act: (1) families with children and (2) handicapped persons. The Amendment also modified the administrative process for HUD complaints, and essentially provides that HUD has a higher degree of authority to enforce the Fair Housing Act. The Amendment removed the cap on punitive damages and increased the available damages and civil penalties. The Amendment also extends Title VIII to other discriminatory practices, relating to real estate loans for repairs and improvements, certain secondary market activities, and real estate appraisals.

**FAIR HOUSING IN AMERICA.
CHRONOLOGY OF IMPORTANT CONSTITUTIONAL
ACTS AND FEDERAL LEGISLATION**

1787	U.S. Constitution (Article 1, Section 2)	For purposes of number of representatives, slaves count as three-fifths of a person.
1791	Bill of Rights (First 10 Amendments)	Fifth Amendment guarantees right to due process.
1865	13th Amendment	Slavery abolished, and Congress given power to enact appropriate legislation to enforce this article.
1866	Civil Rights Act of 1866 (42 U.S.C. 1982)	Enacted under authority of 13 th Amendment, this Act guarantees all property rights enjoyed by white citizens to all U.S. citizens regardless of race.
1868	14th Amendment	14th Amendment (and 5 th Amendment) prohibits government discrimination.
1962	Executive Order 11063	President Kennedy directs all federal agencies to take all action necessary to prevent discrimination because of race, color, creed, or national origin.
1964	Civil Rights Act of 1964 (Title VI)	1) Prohibits discrimination based upon race, color and national origin in federally assisted programs, including public housing. 2) Authorizes withholding of federal funding from state or local grantees engaging in discriminatory activity.
1968	Civil Rights Act of 1968 (Title VIII - The Fair Housing Act)	1) Outlaws private discrimination in housing, including refusal to Fair Housing Act) rent or sell. 2) Also outlaws private discrimination in advertising, terms of sale or rental, blockbusting, and use of real estate services. 3) Exemption for individual owners of single-family home (where no real estate broker is used) if owner does not own more than three such homes. 4) Exemption for housing operations by qualifying religious groups or private clubs.

1973	Rehabilitation Act of 1973 (Section 504)	Prohibits discrimination against handicapped persons in all federally assisted programs, including housing.
1974	Equal Credit Opportunity Act (ECOA)	Prohibits credit discrimination in housing, based upon race, color, religion, national origin, sex, marital status, or age.
1974	Housing and Community Development Act of 1974	<ol style="list-style-type: none"> 1) Expands Fair Housing Act to include prohibition of sex discrimination in housing. 2) Creates Section 8 programs. 3) Establishes Block Grant program and Urban Development Action Grant program.
1975	The Age Discrimination Act of 1975	Prohibits discrimination on the basis of age in programs receiving federal financial assistance
1980	Executive Order 12259	President Carter expands Kennedy's 1962 Executive Order to include sex-based discrimination, and grants HUD secretary additional authority to issue regulations.
1988	Fair Housing Amendments Act of 1988	<ol style="list-style-type: none"> 1) Broadens Title VIII, to include protected classes of handicapped persons and familial status (with exception for older person housing). 2) Mandates handicapped accessibility requirements for new multi-family properties, and permits handicapped tenants to modify existing housing (at tenants' expense). 3) Increases civil and administrative enforcement relating to potential monetary awards, punitive damages, and attorneys' fees.

**FAIR HOUSING IN AMERICA
CHRONOLOGY OF IMPORTANT
U.S. SUPREME COURT CASES**

1857	Dred Scott v. Sandford	Persons of African descent, whether they be slaves or free, are not citizens of the United States entitled to the privileges and immunities of white citizens.
1883	Civil Rights Cases	14th Amendment prohibits discrimination only if it is the product of State (government) action. The 14th Amendment does not prohibit private acts of discrimination.
1896	Plessy v. Ferguson	Court sets forth separate but equal rule, thus permitting institutionalized segregation.
1917	Buchanan v. Warley	Court strikes down racial zoning law (on equal protection grounds) which had specifically limited blacks and other minorities to specific areas of town.
1948	Shelley v. Kraemer	Court held that state court enforcement of private restrictive covenants (based upon race) amounted to sufficient government involvement to violate the equal protection clause of the 14th Amendment.
1948	Hurd v. Hodge	The Shelley rule applies equally to federal courts (in this case, the District of Columbia), as well as state courts.
1954	Brown v. Board of Education	Court finally reverses Plessy decision, ending the separate but equal era.
1967	Reitman v. Mulkey	Court held that California state constitutional amendment, which effectively nullified California's fair housing laws, violated the equal protection clause, since the amendment encouraged private racial housing discrimination.

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- 1968 Jones v. Alfred H. Mayer Co. Court gives new life to the 1866 Civil Rights Act by holding that section 1982 bars racial discrimination (private as well as public) in the sale or rental of property.
- 1972 Trafficante v. Metropolitan Life Insurance Co. In the Court's first Title VIII decision, Court held that Fair Housing Act should be broadly construed, that Title VII (federal employment discrimination) court cases can be used to interpret Title VIII, and that HUD's interpretations of the Act should be entitled to great weight.
- 1977 Village of Arlington Heights v. Metropolitan Housing Development Corporation Court holds that a housing corporation and neighborhood residents had standing to challenge municipality's denial of rezoning, which was alleged to have a racially disproportionate impact. (But Court also held that some discriminatory intent or purpose was required to prove unconstitutional behavior.)
- 1979 Gladstone Realtors v. Bellwood (1979) Court upholds municipality and residents' standing to sue local real estate brokers for racial steering.
- 1982 Havens Realty Corp. v. Coleman Extends standing to sue in racial steering cases to fair housing organizations and testers who investigate housing discrimination complaints.

FAIR HOUSING PROTECTED CLASSES - MARYLAND

Last updated August 18, 2014.

Jurisdiction/Organization	Federal Protection *	Additional State Protection	Additional Protections Afforded by Laws or Counties/Incorporated Cities in Addition to Federal and State Laws
<u>Federal</u>	race, color, national origin, sex (gender), religion, familial status, physical or mental disability	<i>SOURCE of</i>	
<u>State</u>		marital status, sexual orientation, gender identity *	
<u>City/County</u>			
Allegany			X
Anne Arundel			X
City of Annapolis			lawful income
Baltimore County			age, creed
Baltimore City			age, ancestry, gender identity or expression, income from alimony and child support
Calvert			X
Caroline			X
Carroll			X
Cecil			X
Charles			X
Dorchester			X
Cambridge			X
Frederick County			age, ancestry, creed, use of guide dog by the blind
City of Frederick			age, source of income
Garrett			source of income
Harford			X
Harford			age, creed, occupation, personal appearance, political opinion
Howard			age, creed, gender identity or expression, occupation, personal appearance, political opinion, source of income
Kent			age, ancestry
Montgomery			age, ancestry, family responsibility, gender identity, presence of children, religious creed, source of income
Rockville			age, ancestry, creed, presence of children
Prince George's			age, occupation, personal appearance, political opinion
Queen Anne's			X
Saint Mary's			X
Somerset			X
Talbot			X
Washington			X
Hagerstown			age
Wicomico			X
Worcester			X

"X" indicates that this county has no additional protected classes other than those recognized under the state and federal laws.

* Gender identity is a state protected class effective 10/1/14.

Equal Access to Housing Rule (March 2012) extends protection for sexual orientation and gender identity to HUD-assisted or HUD-insured housing and FHA lending.

Age Discrimination Act of 1975 prohibits discrimination on the basis of age in programs or activities receiving federal assistance.

FAIR HOUSING RESOURCE GUIDE

Prepared by:

Maryland Association of REALTORS®

Equal Opportunity Cultural Diversity Committee

(updated August, 2014)

This Fair Housing Resource Guide is designed as a resource for Maryland REALTORS® and for the community they serve to provide contact information and resources available in Maryland for handling Fair Housing Complaints. Changes and additions will be made as new information becomes available.

Every effort has been made by the Maryland Association of REALTORS® (MAR) and its members to verify and validate the authenticity of the information included herein. It is the responsibility of the users of this information to verify the content prior to taking any action.

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FAIR HOUSING LAW & PROTECTIONS

I. Protected Classes and Their Definitions

(Applicable to Maryland jurisdictions, March 2009, updated July 2012)

NATIONAL FAIR HOUSING ACT* (1968, as amended):

Color: Pertaining to a person's skin color

Familial Status: Families in which one or more children under 18 live with: a parent; a person who has legal custody of the child or children; or the designee of the parent or legal custodian, with the parent or custodian's written permission. Familial status protection also applies to pregnant women and anyone securing legal custody of a child under 18.

National Origin: Refers to country of birth.

Physical or Mental Disability: In reference to you or someone close to you who: has a physical or mental disability (including hearing, mobility and visual impairments, chronic alcoholism, chronic mental illness, AIDS, AIDS-related Complex and mental retardation) that substantially limits one or more major life activities; has a record of such a disability; or is regarded as having such a disability.

Race: Categories of physical characteristics and/or genetic groupings of human populations.

Religion: Participation with one of the world's structured religions; one's spiritual beliefs; inference of religion by place of worship.

Sex: Male or female.

• NOTES:

Equal Access to Housing Rule (March 2012) extends protection for sexual orientation and gender identity to HUD-assisted or HUD-insured housing and FHA lending.

Age Discrimination Act of 1975 prohibits discrimination on the basis of age in programs or activities receiving federal assistance.

MARYLAND: Includes all federal protections listed above PLUS:

Marital Status: The state of being single, married, separated, divorced, or widowed.

Sexual Orientation: The identification of an individual as to male or female homosexuality, heterosexuality or bisexuality.

Gender Identity: A person's consistent and sincere expression of gender-related identity based on appearance, expression or behavior, regardless of the person's assigned sex at birth.

LOCAL/COUNTIES: Includes all federal and state protection; listed above PLUS;

Age: Generally referring to adults 18 yrs & over. (Baltimore City, Cambridge, Hagerstown, Rockville; Baltimore, Frederick, Harford, Howard, Kent, Montgomery and Prince George's counties)

Ancestry: Line of decent. (Baltimore City, Cambridge, Rockville; Montgomery and Kent counties)

Creed: A person's beliefs; also, a summary of principals or opinions to which someone professes or adheres. (Cambridge, Rockville; Baltimore, Harford, Howard and Montgomery counties)

Family Responsibility: Refers to decisions based on an assumption of a person's care giving responsibilities, either childcare or care of another family member. (Montgomery County)

Gender Identity: An individual's having or being perceived as having a gender-related self-identity, self-image, appearance, expression, or behavior whether or not those gender-related characteristics differ from those associated with the individual's assigned sex at birth. (Baltimore City; Howard and Montgomery counties)

Lawful Income: See below, 'Source of Income'.

Occupation: The principal lawful activity of one's life, generally including students, welfare recipients and retired persons. (Harford, Howard and Prince George's counties)

Personal Appearance: The outward appearance of any person, irrespective of sex, with regard to hair style, facial hair, physical characteristics or manner of dress. (Harford, Howard and Prince George's counties)

Political Opinion: The opinion of persons relating to government, the conduct of government, political parties, candidates for election or elected office-holders. (Harford, Howard and Prince George's counties)

Presence of Children: Households that include the temporary custody or permanent occupancy of persons under the age of 18 years. (Montgomery County)

Source of Income: Any lawful source of money that is paid to or for the benefit of a renter or buyer of housing and includes grants, government assistance, alimony, child support, pensions, annuities, legal gifts, or investment earnings. (Annapolis, City of Frederick; Frederick, Howard and Montgomery counties)

I. (a) Detailed Definitions

1. Age – Defined as “18 yrs & over”
Definition from: Baltimore Neighborhoods, Inc.
2. Ancestry – Defined as “line of decent”
Definition from: Black's Law Dictionary
3. Creed – Defined as “a person's beliefs.”
Definition from: Baltimore Neighborhoods, Inc

(Also) Defined as “a summary of principals or opinions to which someone professes or adheres.”

Definition from: Webster's Dictionary

Religious creed includes all aspects of religious observance, practice, and belief.

Definition from: Montgomery County Code 27-6

4. Disability/ Handicap – Defined as “...if you or someone close to you has a disability”
 - Physical or mental disability (including hearing, mobility and visual impairments, chronic alcoholism, chronic mental illness, AIDS, AIDS-related complex and mental retardation) that substantially limits one or more major life activities
 - Record of such a disability or
 - Regarded as having such a disability ”

*Definition from: Housing and Urban Development (HUD)
(also referenced in: Art. 49B, §20, Maryland Code,
§29-1-101, Baltimore County & §12-200 Howard County Codes)*

(Also) Defined as:

“*Mental Disability* means the existence of, or history of, an emotional or intellectual disorder, as defined by psychiatrists, which requires special educational or psychotherapeutic services, and includes being regarded as having such an impairment, but shall not include a judicial determination of disability.”

“*Physical Disability* means any physical condition, infirmity, malformation or disfigurement which is caused by bodily injury, birth defect, trauma, or illness, including epilepsy, which shall include, but not be limited to any degree of paralysis, amputation, lack of physical coordination, blindness or visual impairment, deafness or hearing impairment, muteness or speech impairment or disorder, or physical reliance on a seeing eye dog, wheelchair, or any other remedial appliance, device, or medication, and includes a record of having such a disability or being regarded as having such a disability.”

Definition from: Art. 4, §1-1, Baltimore City Code

5. Familial Status – Defined as “protect(ing) one or more individuals under the age of 18 who live with a parent or custodian designee. Protections are afforded pregnant women and those in the process of securing legal custody of a minor.”

Definition from: 42 U.S.C 3602

*(Also referenced in: Art. 49B, §20, Maryland Code, Art. 4,
§1-1, Baltimore City Code & §12-200 Howard County Code*

(Also) Defined as "one or more individuals under the age of 18 years living with a parent or another person having legal custody of such individuals. It also includes pregnant women and those in the process of securing legal custody of a person under the age of 18."

Definition from: Baltimore Neighborhoods, Inc

(Also) Defined as "families in which one or more children under 18 live with: a parent, a person who has legal custody of the child or children, or the designee of the parent or legal custodian with the parent or custodian's written permission. Familial status protection also applies to pregnant women and anyone securing legal custody of a child under 18."

Definition from: Housing and Urban Development (HUD)

6. Family Responsibility – Means the state of being financially or legally responsible for the support or care of a person or persons, regardless of the number of dependent persons or the age of any dependent person.

Definition from: Chpt. 27-6, Montgomery County Code

7. Gender identity – defined as the gender-related identity, appearance, expression, or behavior of a person, regardless of the person's assigned sex at birth, which may be demonstrated by: (1) consistent and uniform assertion of the person's gender identity; or (2) any other evidence that the gender identity is sincerely held as part of the person's core identity."

*Definition from: The Fairness to All Marylanders Act of 2014
Art. 49B, §20-501 and §20-702, Maryland Code*

(Also) Defined as "an individual's having, or being perceived as having, a gender-related self-identity, self-image, appearance, expression, or behavior, whether or not those gender-related characteristics differ from those associated with the individual's assigned sex at birth."

*Definition from: Baltimore Neighborhoods, Inc.
(Also referenced at: Art. 4, §1-1, Baltimore City Code)*

8. Marital Status – Defined as "the state of being single, married, separated, divorced, or widowed." *Definition from: Baltimore Neighborhoods, Inc.
(Also referenced at: Art. 49B, §20, Maryland Code)*

9. Occupation – Defined as "the principal lawful activity of one's life. Persons included in this definition are students, welfare recipients, retired persons and all other persons, irrespective of income, who are denied the equal protection of the laws." *Definition from: Part II, §95, Harford County Code*

(Also) "Defined as the principle lawful activity of one's life and includes (but not limited to) students, welfare recipients, and retired persons"

*Definition from: Baltimore Neighborhoods, Inc.
(Also referenced at: §12-200 Howard County Code)*

10. Personal Appearance – Defined as "the outward appearance of any person, irrespective of their sex, with regard to hairstyle, beards or manner of dress. Such term shall not relate to the requirement of cleanliness, uniforms or prescribed attire when uniformly applied for admittance to a public accommodation or a class of employees for a customary or reasonable business."

Definition from: Part II, §95, Harford County Code

(Also) Defined as “the outward appearance of a person with regard to hair style, facial hair, physical characteristics or manner of dress. It does not relate to a requirement of cleanliness, uniforms or prescribed attire, when uniformly applied, for admittance to a public accommodation or to a class of employees.

Definition from: §12-200 Howard County Code

11. Political Opinion – Defined as “the opinion of persons relating to government or the conduct of government or related to political parties authorized to participate in primary elections in the state.”

Definition from: Part II, §95, Harford County Code

(Also) Defined as “the opinions of persons relating to government, the conduct of government, political parties, candidates for election or elected office-holders.”

Definition from: §12-200 Howard County Code

(Also) Defined as “pertaining only to opinions related to political parties authorized to participate in primary elections in Maryland”

Definition from: Baltimore Neighborhoods, Inc.

(Also) Defined as “pertaining to all political parties, regardless of their participation in Maryland’s primary elections”

Definition from: Baltimore Neighborhoods, Inc.

12. Presence of Children – Means “the existence in a household of an individual under the age of 18 years”.

Definition from: Chapter 27-6, Montgomery County Code

13. Sexual Orientation – Defined as “the identification of an individual as to male or female homosexuality, heterosexuality, or bisexuality.”

Definition from: Art. 49B, §20, Maryland Code

(Also referenced at: §12-200 Howard County Code)

(Also) Defined as “the status of an individual as to homosexuality, heterosexuality, or bisexuality.”

Definition from: Art. 4, §1-1, Baltimore City Code

(Also) Defined as “actual or perceived male or female homosexuality, heterosexuality, or bisexuality”: (1) by practice between lawfully consenting adults; or (2) by inclination”

Definition from: Montgomery County Code 27-6

14. Source of Income – Defined as “any lawful source of money that is paid to or for the benefit of a renter or buyer of housing and includes grants, government assistance, alimony, child support, pensions, annuities, legal gifts or investment earnings.”

Definition from: §12.207 of the Howard County Code

(Also) Defined as “...including Section 8 vouchers, welfare and disability payments.”

Definition from: Baltimore Neighborhoods, Inc

(Also) Defined as: "any lawful source of money, paid directly or indirectly to a renter or buyer of housing, including income from: (1) any lawful profession or occupation; (2) any government or private assistance, grant, or loan program; (3) any gift, inheritance, pension, annuity, alimony, child support, or other lawful compensation or benefit; or (4) any sale or pledge of any property or interest in property.

Definition from: Montgomery County Code 27-6

I. (b) Additional Definitions:

1. "Housing Provider"

"The FHA defines a housing provider as individuals, corporations, associations or others involved in the provision of housing and residential lending, including (but not limited to) property owners, housing managers, homeowners and condominium associations, lenders, real estate agents, and brokerage services. Courts have also applied the Act to state and local governments, most often in the context of exclusionary zoning or other land-use decisions."

Definition from: Baltimore Neighborhoods, Inc

Definitions for the above referenced "Protected Classes" have been gathered from individual jurisdictional Codes including the Baltimore City Code, Baltimore County Code, Harford County Code, Howard County Code, Maryland Code and the Montgomery County Code and the following resources:

*Baltimore Neighborhoods, Inc. (BNI)
2217 St. Paul St., Baltimore, MD 21218
Administration: 410-243-4468
Fair Housing: 410-243-4400*

*Philadelphia Regional Office of FHEO
U.S. Dept. of Housing & Urban Development
The Wanamaker Building
100 Penn Square East, 12th Floor
Philadelphia, Pennsylvania 19107-3380
215-861-7646 1-888-799-2085
TTY: 215-656-3450*

*Montgomery County Maryland Government / Office of Human Rights
21 Maryland Avenue, Suite 330
Rockville, Maryland 20850-2223
240-777-8450 Fax: 240-777-8460
TTY: 240-777-8480
(Montgomery County Code, 27-1)*

*Maryland Commission on Civil Rights
6 Saint Paul Street, Suite 900
Baltimore, Maryland 21202-1631
MD toll-free number, 1-800-637-6247*

(Also) Defined as: "any lawful source of money, paid directly or indirectly to a renter or buyer of housing, including income from: (1) any lawful profession or occupation; (2) any government or private assistance, grant, or loan program; (3) any gift, inheritance, pension, annuity, alimony, child support, or other lawful compensation or benefit; or (4) any sale or pledge of any property or interest in property.

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*Baltimore Neighborhoods, Inc. (BNI)
2217 St. Paul St., Baltimore, MD 21218
Administration: 410-243-4468
Fair Housing: 410-243-4400*

*Philadelphia Regional Office of FHEO
U.S. Dept. of Housing & Urban Development
The Wanamaker Building
100 Penn Square East, 12th Floor
Philadelphia, Pennsylvania 19107-3380
215-861-7646 1-888-799-2085
TTY: 215-656-3450*

*Montgomery County Maryland Government / Office of Human Rights
21 Maryland Avenue, Suite 330
Rockville, Maryland 20850-2223
240-777-8450 Fax: 240-777-8460
TTY: 240-777-8480
(Montgomery County Code, 27-1)*

*Maryland Commission on Civil Rights
6 Saint Paul Street, Suite 900
Baltimore, Maryland 21202-1631
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