



FAIR HOUSING

YOUR MONTHLY UPDATE TO HOUSING NEWS, INFORMATION AND EVENTS

April 2018

Fifty Years of Fair Housing

On April 11, 1968, President Lyndon B. Johnson signed the Civil Rights Act of 1968 (a/k/a, the Fair Housing Act).

Signed into law a week following the assassination of Reverend Martin Luther King, Jr., this landmark legislation made it illegal to discriminate in housing based upon race color, religion or national origin. Later legislation set forth additional protected classes of disability, sex and familial status.

In a recent press release, Secretary of Housing and Urban Development [Dr. Ben Carson](#) stated, “It was a seminal moment in our country’s history when the

ideals of equality and fairness were embodied in a law that continues to shape our communities and our neighborhoods 50 years later. But the promises of the Fair Housing Act require our constant vigilance to confront housing discrimination in all its forms and to advance fairness on behalf of those seeking their American dream.”

In proclaiming April 2018 as National Fair Housing Month, President Donald J Trump said, passage of the Fair Housing Act and its subsequent amendments, “have helped create a more fair and just market for housing throughout our Nation.”

Trump went on to state, “My Administration intends to deliver on the promise outlined by the Fair Housing Act, by ending prejudice and unlawful discriminatory practices in the sale, lease, and financing of housing, expanding the availability of affordable housing, promoting sustainable homeownership opportunities, encouraging economic mobility, and creating more vibrant communities.”

MHI encourages all housing providers in the industry to seek out and join in local celebrations of the 50th anniversary of the Fair Housing Act.



MORE STATES PASS ASSISTANCE/SERVICE ANIMAL LAWS

[February's Fair Housing Update](#) featured state legislation regarding service or assistance animals as a crime. Congratulations to the following states with General Assemblies that have adopted bills in 2018: [Alabama](#), [Indiana](#), [Kentucky](#), [South Dakota](#), [Washington](#) and [Wisconsin](#). A broader bill on misrepresentation of disabilities passed in [West Virginia](#). And, [Mississippi](#) came up with new definitions.



President Lyndon Johnson signs the Civil Rights Act of 1968 on April 11, 1968, making it illegal to discriminate in housing.

State and Local Governments Have Fair Housing Laws, Too

While this month is set aside to celebrate the Fair Housing Act as passed by the United States Congress, it is important to remember that housing providers must look beyond federal law to determine the extent of their fair housing obligations. State and local governments often pass laws that expand protected classes far beyond those listed in the Civil Rights Act of 1968.

Shortly after the Fair Housing Act was originally adopted, individual state legislatures around the nation began passing their own versions of the act. Often, these new state laws added additional protected classes absent from the federal act.

For instance, many states treat active service members and veterans as protected classes. Other states have language in their laws indicating a person on public assistance cannot be discriminated against in housing.

One of the latest trends in state legislation is to add “sexual orientation” and/or “gender identity” to the list of protected classes.

In 2018, many state legislatures considered bills to add additional protected classes to their state fair housing laws. MHI has been working with state-based associations, tracking state fair housing bills in 38 state General Assemblies.

And state legislatures are not the only governing bodies getting in on the fair housing bandwagon. It is becoming quite common to see city councils and county

commissions jumping into the protected class fray. Often referred to as “Human Rights” ordinances, these local laws are also grounded in banning discrimination based upon gender identity and/or sexual orientation.

[The Human Rights Campaign](#) maintains an on-line list of localities with such ordinances. While informative, the list is incomplete and **does not** list all cities and counties with local nondiscrimination laws. Make sure to check local laws!

MHI continues to encourage housing providers to adopt (and constantly update) appropriate written fair housing policies. In doing so, it is extremely important that these policies include more than the protected classes outlined in federal law. Those classes defined by city and county jurisdictions should also be included.



If you have any questions regarding Fair Housing or would like back issues, please contact MHI's Senior Vice President of State and Local Affairs and General Counsel, Rick Robinson at robinson@mfghome.org

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