



Arizona Attorney General

Terry Goddard

Educating • Protecting • Empowering
Arizona Consumers



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Office**

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800.352.8431

www.azag.gov

HOUSING DISCRIMINATION

Get The Facts



Message from Attorney General Terry Goddard

March 2008

Not very long ago, Arizonans learned in segregated schools and ate at segregated lunch counters. Some were refused entry into other public places based on race. Economic disparity, deed restrictions and discriminatory attitudes often prevented minorities from owning homes or living in the neighborhood of their choice. Across Arizona and much of the nation, when minorities wanted to buy or rent, they were often told they were not welcome or were steered to other neighborhoods.

This year marks the 40th anniversary of the enactment of the Fair Housing Act as part of the 1968 Civil Rights Act. The goal of the Fair Housing Act is to eliminate discrimination. Substantial progress has been made toward achieving that goal, but we still have much work ahead in Arizona.

The Attorney General's Office sees new cases every week alleging housing discrimination on the basis of race, family status and disability. Our efforts to investigate and resolve these cases receive crucial support from the Arizona Fair Housing Partnership, which brings together government, real estate professionals, housing providers, lenders, nonprofits and advocacy groups.

Some housing discrimination violations take place because people are unaware of fair housing laws. Others are deliberate acts of discrimination. Whatever the reason, we are working toward the day when fair housing in Arizona is no longer a goal but a reality.

I will continue to work hard to ensure vigorous enforcement of fair housing laws and to make sure that consumers, private landowners, homeowner associations, property management companies, real estate professionals, RV parks and landlords understand the fair housing laws and know where to turn for information or to report a violation. This guide to fair housing, along with other materials published by my Office, is designed to help eliminate instances of housing discrimination and to assist victims of discrimination. If your organization would like a presentation on fair housing laws, please contact the Attorney General's Community Services Program at 602.542.2123 or communityservices@azag.gov. For more information, visit the Attorney General's Web site at www.azag.gov.

Sincerely,

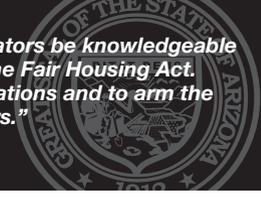

Terry Goddard
Arizona Attorney General



Fair Housing Act

"It is critical that consumers, real estate professionals and regulators be knowledgeable about Fair Housing and those activities which are illegal under the Fair Housing Act. Education is our most effective tool to prevent unintentional violations and to arm the public against those who intentionally discriminate against others."

Sam Wercinski, Arizona Real Estate Commissioner



In Arizona, everyone has a right to fair housing

Arizona law protects your right to have a place to live and makes it unlawful for any person to discriminate in connection with housing because of an individual's race, color, religion, sex, national origin, familial status or physical or mental disability.

Discrimination can be obvious and easily recognized, but many times it is subtle or apologetic. When people discriminate against a person, they sometimes:

- Ask questions that belittle you.
- Imply that they cannot help you.
- Refuse to give you services that they appear to give others.
- Suggest that you work with someone else or seek housing elsewhere.

Housing providers and professionals include:

- Home Builders
- Apartment Owners and Management Companies
- Mobile Home Dealers
- Mobile Home Park Owners and Operators
- Real Estate Firms
- Leasing Agents
- Lenders and Bankers
- Mortgage Brokers
- Title Companies
- Appraisers
- Title and Home Insurance Providers
- Home Owners' Associations

Under the Fair Housing Act it is against the law to engage in the following activities if done on the basis of a person's race, color, national origin, religion, sex, familial status or physical or mental disability:

- Tell you housing is unavailable when it actually is available.
- Only show you apartments or homes in certain neighborhoods.
- Set terms, conditions or privileges for sale or rental of a dwelling different from other customers'.
- Provide housing services or facilities different from other customers'.
- Advertise housing to preferred groups of people only.
- Refuse to provide you with information regarding mortgage loans, deny you a mortgage loan for which you qualify, or impose different terms and conditions on a mortgage loan.
- Deny you property insurance.
- Conduct property appraisals in a discriminatory manner.
- Refuse to make reasonable accommodations or modifications for a person with a disability if the accommodation or modification is necessary to afford such person an equal opportunity to use and enjoy a dwelling. Examples include accommodations for assistive aides or animals, accessible parking and minor physical modifications to existing properties.
- Fail to design and construct multi-family housing in an accessible manner (applies to housing constructed after 1991).
- Harass, coerce, intimidate or interfere with anyone exercising or assisting someone else with exercising their fair housing rights.
- Refuse to rent to you or to sell you housing if a realtor is involved in the transaction.

4

5

The Equal Housing Opportunity logo is displayed by Housing Professionals who have committed to equal treatment of everyone. Look for companies that display this logo:





Disability – Additional Protections

People with physical, mental or developmental disabilities, as well as people who have HIV/AIDS-related illnesses or who are recovering from alcohol or substance abuse, receive additional protections under the Fair Housing Act. Housing providers and professionals should communicate with disabled persons to determine the most appropriate and reasonable accommodation for them. Persons with disabilities also have the right to make improvements to rented homes at their own expense if the work is necessary for them to live there, as long as they return the property to its original condition when it is vacated.

Familial Status

The law also protects families with children under 18. This category includes pregnant women, people arranging for an adoption and any person who has permanent or occasional custody of children under 18, such as foster parents or grandparents. Housing facilities or communities specifically designated for persons over age 55 and seniors 62 years of age and over are exempt from this requirement. The owners or management of a housing community or facility designated for use by seniors may legally exclude families with children.

Transactions not covered under the Fair Housing Act:

- Sale or rental of single family houses that are not sold or rented through a broker or through discriminatory advertising. An owner has the right to sell or rent directly to whomever he or she wants, as long as the owner does not run an ad or make other discriminatory statements that violate the Fair Housing Act (such as stating that the neighborhood has a certain racial makeup) and does not own more than three single family homes.
- Rental of apartments or rooms in a building containing no more than four units, if one unit is inhabited by the building's owner.
- Housing transactions by nonprofit religious organizations (that give preference to persons of the same religion) or private clubs.



If you believe you are a victim of housing discrimination, you can file a complaint at:

Arizona Attorney General's Office

Civil Rights Division

www.azag.gov

Phoenix

1275 W. Washington Street

Phoenix, Arizona 85007

602-542-5263

602-542-5002 (TDD)

877-491-5742 (toll free)

877-624-8090 (toll free TDD)

Tucson

400 W. Congress, Suite S-215

Tucson, Arizona 85701

520-628-6500

520-628-6872 (TDD)

877-491-5740 (toll free)

877-881-7552 (TDD)

8

The Civil Rights Division investigates and resolves housing discrimination complaints. It also mediates and conciliates complaints and can bring legal action on an individual's behalf if no solution can be found prior to litigation being initiated. Most housing discrimination charges filed with the Attorney General's Office are considered to be dual-filed with the United States Department of Housing and Urban Development (HUD). There is no cost to file a housing discrimination complaint with the Civil Rights Division or HUD. Fair housing complaints must be filed within one year after the discriminatory act(s).

The Attorney General's Office works in collaboration with other agencies and organizations to educate and train real estate professionals, housing providers and consumers.

Other Resources for Fair Housing Education and Training

Arizona Department of Housing

1110 W. Washington, Suite 310

Phoenix, AZ 85007

www.housingaz.com

602-771-1000

Arizona Center for Disability Law

3839 N. Third Street, Suite 209

Phoenix, AZ 85012

602-274-6287

www.acdl.com

Arizona Fair Housing Center

615 N. 5th Ave.

Phoenix, AZ 85003

602-548-1599

Arizona Multihousing Association

5110 N. 44th St., Suite L160

Phoenix, AZ 85003

1-800-326-6403

602-296-6200

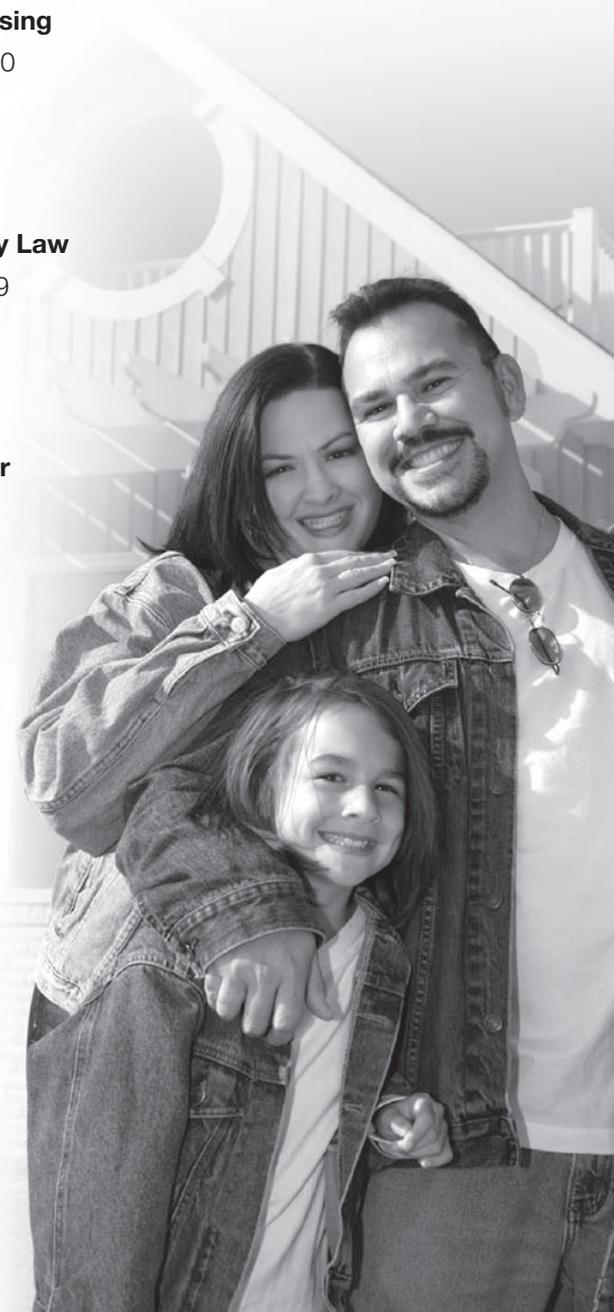
www.azama.org

Southwest Fair Housing Council

2030 E. Broadway, Suite 101

Tucson, AZ 85719

520-798-1568





Arizona Department of Real Estate

2910 N. 44th Street
Phoenix, AZ 85018
602-771-7799
www.azre.gov

City of Phoenix Equal Opportunity Department

251 W. Washington, 7th Floor
Phoenix, AZ 85003
602-262-7486, 602-534-1557 (TTY)
www.phoenix.gov

U.S. Department of Housing and Urban Development

600 Harrison Street, 3rd Floor
San Francisco, CA 94107-1387
415-489-6524
1-800-347-3739
415-436-6594 (TTY)
www.hud.gov

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Crime and Fraud Prevention Initiatives

The Attorney General's Community Services Program includes **Satellite Offices** throughout the State and the **Fraud Fighter Van**. Satellite Offices make it easier for residents to get information on consumer fraud and civil and victims' rights issues in their own neighborhoods. Fraud Fighter Volunteers are available to make educational presentations to community groups and distribute materials at local events. A complete list of Satellite Office locations and schedule of events are posted on the Community Services page of the Attorney General's Web site at www.azag.gov. The Fraud Fighter Van is the newest tool to bring services and information to senior centers, libraries and neighborhoods. The Fraud Fighter Van is filled with information about identity theft, scam alerts, Internet safety and much more.



ARIZONA ATTORNEY GENERAL

Fraud Fighters

PROTECTING ARIZONA CONSUMERS

For more information, contact:

Community Services Program
Arizona Attorney General's Office
1275 West Washington Street
Phoenix, Arizona 85007
602.542.2123 or 1.800.352.8431
communityservices@azag.gov

Subscribe to the Attorney General's scam alerts and messages on current issues at www.azag.gov.

Other publications available from the Arizona Attorney General's Office include:

- Top 10 Consumer Scams
- Civil Rights:
 - Employment Discrimination
 - Discrimination in Places of Public Accommodation
 - Housing Discrimination
 - Voting Discrimination
- Consumers' Guide to Buying a Car
- Identity Theft
- Internet Safety
- Life Care Planning
- Predatory Lending

www.azag.gov