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NJ Department of Community Affairs

DIVISION OF HOUSING AND COMMUNITY RESOURCES

Fair Housing and Housing Discrimination Information

1 (800) 390-4845

What is the Fair Housing Act?

The Fair Housing Act prohibits discrimination in housing because of:

- race or color
- national origin
- religion
- sex
- familial status (including children under the age of 18 living with parents or legal custodians; pregnant women and people securing custody of children under 18)
- handicap (disability)

The Fair Housing Act covers most housing. In some circumstances, the Act exempts owner-occupied buildings with no more than four units, single-family housing sold or rented without the use of a broker and housing operated by organizations or private clubs that limit occupancy to members.

Seven Technical Requirements:

Based on the Fair Housing Act, as amended, there are seven technical requirements in the Accessibility Guidelines for covered buildings.

1. Accessible Entrance on an Accessible Route
2. Accessible Public and Common-Use areas
3. Usable Doors
4. Accessible Routes Into and Through the Dwelling Unit
5. Accessible Light Switches, Electrical Outlets, and Environmental Controls
6. Reinforced Walls in Bathroom
7. Usable Kitchens and Bathrooms

Fair Housing Act, as amended:

- Prohibits housing discrimination on the basis of race, color, religion, sex, national origin, familial status, or disability.
- Sets certain requirements for accessible design in new construction.
- Covers residential multi-family dwellings for first occupancy after March 13, 1991 (covered multi-family dwellings are **all** types of buildings with four or more units).

- Includes condos, single-story townhouses, garden apartments, vacation timeshares, dormitories, homeless shelters.
- Requires covered buildings with an elevator to make **all** units in buildings accessible.
- Requires covered buildings without an elevator to make all ground-floor units (including ground-floors at different levels in the same building) accessible.

Examples of Housing Discrimination:

The Fair Housing Act prohibits landlords from taking any of the following actions based on race, religion or any other protected category:

Advertising or making any statement that indicates a preference based on a group characteristic, such as skin color.

Falsely denying that a rental unit is available.

Setting more restrictive standards, such as higher income, for certain tenants.

Refusing to rent to members of certain groups.

Refusing to accommodate the needs of disabled tenants, such as allowing a guide dog.

Setting different terms for some tenants, such as adopting an inconsistent policy of responding to late rent payments, or terminating a tenancy for a discriminatory reason.

For More Information:

The [United States Department of Housing and Urban Development](#) has many publications available related to various Housing Discrimination topics. Information and instructions on how to file a complaint with them are available by calling their Housing Discrimination Hotline at 1-800-669-9777.

To File a Housing Discrimination Complaint with the Federal Government:

New Jersey residents may contact:

Fair Housing Enforcement Center
U.S. Department of Housing and Urban Development
26 Federal Plaza, Room 3532
New York, NY 10278-0068

(212) 264-9610 or 1-800-496-4294
TTY (212) 264-0927

You can [file an online complaint](#) at the HUD web site (<http://www.hud.gov/complaints/index.cfm>).

What is the New Jersey Law Against Discrimination?

The New Jersey Law Against Discrimination (LAD) makes it unlawful to subject people to differential treatment based on race, creed, color, national origin,

nationality, ancestry, age, sex, (including pregnancy), familial status, marital status, affectional or sexual orientation, atypical hereditary cellular or blood trait, genetic information, liability for military service, and mental or physical disability, including perceived disability and AIDS and HIV status. The LAD prohibits unlawful discrimination in employment, housing, places of public accommodation, credit and business contracts. Not all of the foregoing prohibited bases for discrimination are protected in all of these areas of activity. For example, familial status is only protected with respect to housing.

****Amendment to LAD***

On September 5, 2002, Governor McGreevey signed the Section 8 Anti-Discrimination bill which increases penalties for landlords who refuse to rent or lease to persons who receive federal rent subsidies or have children under the age of 18 (senior and age-restricted housing excluded). Under this law, a landlord who discriminates can be fined up to \$10,000 for a first offense and up to \$25,000 for a second offense. A person bringing action because of discrimination may be awarded a reasonable attorney's fee. The Attorney General will notify landlords and tenants of the law.

This law amends the existing "Law Against Discrimination" by prohibiting landlords from discriminating against tenants based upon a tenants' source of lawful income, such as Section 8 vouchers, or the age of their children. In addition, it also broadens the powers of housing authorities so that they can bring suit on behalf of a tenant who is discriminated against. The law is supported by a 1999 state Supreme Court ruling that says landlords cannot deny an apartment to tenants based solely on their sources of income.

For More Information or To File a Housing Discrimination Complaint Contact:

New Jersey Department of Law and Public Safety's [Division on Civil Rights](#). The Division on Civil Rights maintains the following five regional offices:

Trenton Regional Office:
140 East Front Street, PO Box 090
Trenton, NJ 08625-0090
Telephone: 609-292-4605
Fax: 609-984-3812
TDD: 609-292-1785

Atlantic City Satellite Office:
26 Pennsylvania Avenue
Atlantic City, NJ 08401
Telephone: 609-441-3100
Fax: 609-441-3578

Newark Regional Office:
31 Clinton Street, PO Box 46001
Newark, NJ 07102
Telephone: 973-648-2700

Camden Regional Office:
2 Riverside Drive, Suite 402
Camden, NJ 08103
Telephone: 856-614-2550
Fax: 856-614-2568
TDD: 609-757-2958

Paterson Regional Office:
100 Hamilton Plaza
Paterson, NJ 07501
Telephone: 973-977-4500

Fax: 973-648-4405
TDD: 973-648-4678

Fax: 973-977-4511
TDD: 973-977-1955

Additional New Jersey Resources/ Information:

The **Office of Landlord/ Tenant Information**, within the New Jersey Department of Community Affairs' Division of Codes and Standards, publishes a ***Truth-in-Renting*** booklet that serves as a guide to the rights and responsibilities of residential landlords and tenants in New Jersey. To order a copy of this booklet call (609) 292-4174.

Legal Services of New Jersey, 1-888-LSNJ-LAW, publishes a legal handbook for tenants in New Jersey entitled *Tenant's Rights in New Jersey*. A hard copy of this handbook (95pgs.) can be ordered for \$12.00 by calling (732) 572-9100 or downloaded for FREE (in PDF format) on their web site at <http://www.lsnj.org/>

Fair Housing Council of Northern New Jersey
(201) 489-3552 or e-mail: fhcnnj@bellatlantic.net

Housing Coalition for Central New Jersey, (732) 249-9700

HUD Certified Fair Housing Counseling Agencies in New Jersey
(<http://www.hudhcc.org/agencies/newjersey.txt>)

