

Advertising Guidelines

It is illegal to make, print, or publish a discriminatory statement. Any exempt housing that violates these guidelines loses that exemption and can be held liable under fair housing laws.

What Housing Is Exempted?

While fair housing laws cover most multifamily dwellings, including townhouse and condominium communities, there are exceptions to the rule. In some circumstances the laws exempt:

- **Owner-occupied buildings** with no more than four units, in which the owner lives in one of the units and does not use the services of a real estate agent.
- **Some privately owned single-family housing** (owner owns three or fewer houses and does not use the services of a real estate broker).
- **Non-commercial housing** operated by religious organizations and private clubs that limit occupancy solely to members, provided the organization does not discriminate based on race.
- **Qualified senior housing**, which is exempt from the prohibition against familial status discrimination if it is determined that it is specifically designed for and occupied by older people or meets certain requirements (100 percent of residents are age 62 or older, or 80 percent of households have at least one resident age 55 or older).



Please note

- The prohibition against discriminatory advertising applies to single-family and owner-occupied housing that is otherwise exempt.
- Exemptions only apply if the property is not sold or rented with the sales or rental services of a real estate broker.
- Housing need not be made available to a person who is a direct threat to the health or safety of others, or who currently uses illegal drugs.

HOW WE SERVE YOU

OHREP is a neutral, fact-finding, administrative agency that enforces the Fairfax County Human Rights Ordinance. We do not provide legal representation.

Our office addresses discrimination by:

- Resolving cases through intake, screening, mediation, investigation, conciliation, and public hearings.
- Testing to determine the extent of discrimination in Fairfax County.
- Providing speakers and programs on civil rights topics, including housing and employment discrimination.

You can also find free publications regarding discrimination on our website and upon request.

Fairfax County Office of Human Rights and Equity Programs

12000 Government Center Parkway, Suite 318
Fairfax, VA 22035-0093
Tel: 703-324-2953, TTY 711
fairfaxcounty.gov/humanrights



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Fairfax County is committed to nondiscrimination on the basis of disability in all county programs, services, and activities. Reasonable ADA accommodations and alternative information formats will be provided upon request.



September 2020

FAIR HOUSING

Equal Access to Housing: It's Everyone's Right



Fairfax County Office of
Human Rights and Equity Programs

FAIR HOUSING LAWS

Everyone has a right to fair housing. The ability to live where one chooses with dignity and without fear of discrimination is a basic right guaranteed to all people.

The Fairfax County Office of Human Rights and Equity Programs (OHREP) enforces the Fairfax County Human Rights Ordinance, which prohibits discrimination in employment, housing, public accommodations, private education, and credit. The Fairfax County Human Rights Ordinance includes the Fairfax County Fair Housing Act.

The Fairfax County Human Rights Ordinance prohibits discrimination in housing against anyone based on their membership in one of the following **protected classes**:

- ☒ Race
- ☒ Color
- ☒ National origin
- ☒ Religion
- ☒ Sex
- ☒ Elderliness (55 years or older)
- ☒ Familial status* (presence of children under the age of 18 in a household)
- ☒ Marital status
- ☒ Sexual orientation
- ☒ Gender identity
- ☒ Status as a veteran
- ☒ Source of funds
- ☒ Disability

* Includes pregnant women or anyone in the process of adopting or securing legal custody of a child.

Fair housing laws cover all housing-related transactions including rentals, sales, mortgage lending, homeowners' insurance, and appraisals. Housing covered includes, but is not limited to, multifamily dwellings, including townhouse and condominium communities; both private residential and public housing; homeless shelters; mobile home parks; nursing homes; and nonprofit housing programs.



WHAT IS PROHIBITED?

No one may take any of the following actions based on a person's membership in a protected class.

In the sale and rental of housing:

- ☒ Refuse to rent or sell a home.
- ☒ Deny a dwelling.
- ☒ Refuse to negotiate for housing.
- ☒ Set different terms, conditions, or privileges for sale or rental of a dwelling.
- ☒ Provide different housing services or facilities.
- ☒ Falsely deny that housing is available for inspection, sale, or rental.
- ☒ For profit, persuade owners to sell or rent by making representations regarding the racial or ethnic makeup of a neighborhood.
- ☒ Steer owners or renters to particular neighborhoods or housing within neighborhoods.
- ☒ Segregate tenants.
- ☒ Deny anyone access to or membership in a facility or service related to the sale or rental of housing.
- ☒ Refuse to allow a resident to make reasonable modifications to a dwelling that are necessary for a disabled resident to use and enjoy the dwelling.
- ☒ Refuse to make reasonable accommodations in rules, policies, practices, or services, if such accommodations are necessary for a disabled resident to use and enjoy the dwelling.
- ☒ Fail to make buildings accessible pursuant to federal, state, and local laws.
- ☒ Threaten, coerce, intimidate, or interfere with anyone exercising a fair housing right or assisting others who exercise that right.
- ☒ Use discriminatory advertising or make any discriminatory statement in connection with any real estate or real estate-related transaction.
- ☒ Take any other action to otherwise make housing unavailable.

In mortgage lending:

- ☒ Refuse to make a mortgage loan.
- ☒ Refuse to provide information regarding loans.
- ☒ Impose different terms or conditions on a loan.
- ☒ Discriminate in appraising property.
- ☒ Refuse to purchase a loan.

HOW TO FILE A COMPLAINT

If you think you have been subjected to unlawful discrimination, you can file a complaint with OHREP within 365 days of the alleged discrimination. To file a complaint or to ask questions about filing a complaint:

CALL US: 703-324-2953, TTY 711

VISIT OUR WEBSITE: fairfaxcounty.gov/humanrights

VISIT OUR OFFICE:

Fairfax County Government Center
12000 Government Center Parkway, Suite 318
Fairfax, VA 22035-0093

There is no charge for filing a complaint.

A complaint **must be filed within 365 days** of the alleged discrimination.

6 STEPS TO FILE A COMPLAINT

From start to finish, you should expect the following steps during the complaint process:

1. You complete an intake questionnaire.
2. An investigator conducts an intake interview with you via telephone or in person to draft the complaint.
3. You prepare and sign a complaint form.**
4. The investigator notifies the respondent of the charge.
5. A thorough investigation takes place to determine the facts.
6. OHREP decides whether the evidence does or does not support your claim.

** Your complaint is not considered "filed" until you have signed it, and OHREP has accepted and stamped the complaint with a file date.

