



FAMILIAL STATUS DISCRIMINATION

Familial status discrimination is most common and most commonly misunderstood. Many housing providers believe it is perfectly legal to say “we won’t accept children”—but it’s not; it’s a violation of the fair housing laws.

FAMILIAL STATUS DEFINED

Having in the household: one or more individuals who have not attained the age of eighteen years being domiciled with: (1) a parent or other person having legal custody of such individual(s); or (2) the designee of such parent or other person having such custody, with the written permission of such parent or other person. Also protected under “familial status” is any person who is pregnant or is in the process of securing legal custody of any individual who has not attained the age of 18 years.
(PA Human Relations Act)

COMMON WAYS IN WHICH FAMILIES WITH CHILDREN ARE DISCRIMINATED:

- flat out refusal to rent to families with children--No Children Policy;
- requiring families to live in specific buildings of an apartment complex, in specific sections of a building, or on the first floor of a building;
- demanding that children of opposite sex have separate bedrooms;
- refusing to rent based on perceived risks and dangers of the property (such as lead paint, steep steps, located near train tracks);
- inquiring about pregnancy;
- inquiring about childcare arrangements;
- inquiring about the ages of the occupants &/or how many will be children; as well as
- charging extra for children.

ILLEGAL “OPPOSITE SEX/SEPARATE BEDROOM” POLICIES

The result of opposite sex/separate bedrooms policies can be devastating on families with children—forcing them into larger apartments at a greater expense or limiting the field of available apartments unnecessarily. For example, families with a boy and a girl would be forced into looking for a three bedroom apartment, not a two, or forced to look elsewhere when only two bedrooms are available.

Mandating that boys and girls have separate bedrooms is illegal and a violation of the fair housing laws.

ILLEGAL SEGREGATING AND STEERING OF FAMILIES

Often apartment complexes and buildings have designated areas set aside for families. They promote their facilities as having singles and families separated out.

Advocates for such policies argue that the policies are nurturing and benefiting the family.

For more information, contact the Fair Housing Rights Center in Southeastern Pennsylvania at 215-576-7711 or visit us on the web at www.fairhousingrights.org.