

Housing Discrimination

Rights of Persons with HIV and AIDS

The federal Fair Housing Act prohibits the denial of housing to a person based on the person's membership in one or more of the classes protected under the Act. The protected classes are race, color, religion, national origin, sex, familial status, and handicap.

Under the Act, handicap means, with respect to a person, (1) a physical or mental impairment which substantially limits one or more of such person's major life activities, (2) a record of such an impairment, or (3) being regarded as having such an impairment. The term does not include current, illegal use of or addiction to a controlled substance. In the U.S. Department of Housing and Urban Development's regulations, both HIV infection and AIDS are considered to be an impairment. Also, federal cases have defined HIV infection and AIDS as a handicap.

It is therefore illegal to discriminate against a person in the provision of housing because that person has HIV infection or AIDS; has a record of having HIV infection or AIDS; is perceived as having HIV infection or AIDS; is associated with persons with HIV infection or AIDS; or has a person with HIV infection or AIDS residing with them.

Examples of illegal discrimination under the federal Fair Housing Act based upon a person's handicap are:

FALSE DENIAL OF AVAILABILITY.

Advising that there are no available units when, in fact, there are.

"Sorry we just rented the last unit."

REFUSAL TO RENT OR SELL BECAUSE OF HANDICAP.

"We do not rent to persons who have AIDS or who have friends with AIDS."

DISCRIMINATORY TERMS AND CONDITIONS AND PROVISION OF SERVICES OR FACILITIES.

"The rent is \$200 higher for persons with a handicap or persons with friends with a handicap."

REFUSAL TO PERMIT A REASONABLE MODIFICATION TO THE UNIT AT THE EXPENSE OF THE PERSON WITH A HANDICAP, IN ORDER THAT THE PERSON MAY HAVE FULL ENJOYMENT OF THE UNIT.

"You may not install grab bars in the bathroom."

DENIAL OF A REASONABLE ACCOMMODATION TO THE RULES AND REGULATIONS OF RENTAL IN ORDER THAT THE PERSON WITH A HANDICAP MAY HAVE EQUAL OPPORTUNITY TO USE AND FULLY ENJOY THEIR UNIT.

"It's against the rules to have another person live with you, even though there is enough room and the person is necessary to help you with your health needs."

West Tennessee Legal Services is available to provide information concerning a person's rights under the federal Fair Housing Act. If you believe you are a victim of discrimination in housing, contact us at 1-800-372-8346 or 731-423-0616 for assistance. When necessary, staff can assist you in filing a complaint with the U.S. Department of Housing and Urban Development (HUD) or other appropriate administrative or judicial bodies.

"The work that provided the basis for this publication was supported by funding under a grant with the U.S. Department of Housing and Urban Development. The substance and findings of the work are dedicated to the public. The author and publisher are solely responsible for the accuracy of the statements and interpretations contained in this publication: Such interpretations do not necessarily reflect the views of the Federal Government."

Have you been discriminated against in a housing situation?

Name: _____

Address: _____

Phone: _____

Brief description of legal problem:

You were discriminated against because of your:

- Race
- Color
- Religion
- Sex
- National Origin
- Handicap
- Children

If you believe that you have been discriminated against in a housing situation, please fill out the attached card. West Tennessee Legal Services will discuss the situation with you and help you to decide what to do next. Your response to us will be kept confidential.

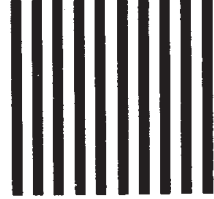
If you have any questions, call the Fair Housing Project. 731-423-0616 or 1-800-372-8346



Place Staple Here

Fold Here

NO POSTAGE
NECESSARY
IF MAILED IN THE
UNITED STATES



BUSINESS REPLY MAIL

FIRST CLASS MAIL PERMIT NO. 19 JACKSON, TN

Postage will be paid by addressee

Fair Housing Project

WEST TENNESSEE LEGAL SERVICES, INC.
210 West Main Street
Jackson, TN 38301



Fair Housing Project WEST TENNESSEE LEGAL SERVICES, INC. 731-423-0616 or 1-800-372-8346

- **JACKSON OFFICE**
210 West Main Street
Jackson, TN 38301
- **DYERSBURG OFFICE**
208 S. Church Street
Dyersburg, TN 38024
- **HUNTINGDON OFFICE**
113 W. Paris Street
Huntingdon, TN 38344
- **SELMER OFFICE**
141 N. Third Street
Selmer, TN 38375

Housing Discrimination

Rights of Persons with HIV and AIDS



 **LSC**
 **WEST TENNESSEE
LEGAL SERVICES, INC.**
Fair Housing

210 West Main Street
Jackson, TN 38301
731-423-0616 or 1-800-372-8346