

FAIR HOUSING CHOICE INFORMATION (2024 Update)

PROTECTIONS FROM DISCRIMINATION IN HOUSING

What is the Fair Housing Act?

The federal and state governments both have legislation to protect people from discrimination in housing. The [Fair Housing Act](#) is a federal law enforced by the U.S. Department of Housing and Urban Development (HUD) which protects people from discrimination when they are renting or buying a home, getting a mortgage, seeking housing assistance, or engaging in other housing-related activities. The [State Fair Housing Act](#) is a state law enforced by the NC Office of Administrative Hearings Civil Rights Division which protects people from discrimination in housing and applies to sale, rental and financing of residential housing; including apartments, houses, mobile homes and vacant lots to be used for housing.

What kind of housing discrimination is prohibited?

The Fair Housing Act and State Fair Housing Act prohibits discrimination in housing based on:

- Race
- Color
- Sex
- National Origin
- Religion
- Sexual Orientation
- Familial Status
- Disability
- Gender Identity

What actions are prohibited?

Actions taken to limit, complicate, or refuse housing based on the characteristics above is prohibited. Discrimination could appear in many ways. Examples of prohibited actions include:

- Refusal to rent or sell housing
- Refusal to negotiate housing
- Setting different terms, conditions or privileges for sale or rental of a dwelling
- Advertising housing that indicates any preference, limitation, or discrimination
- Refusing to provide information regarding loans
- Providing a person different housing services or facilities
- Falsely denying housing available for inspection, sale, or rent
- Violating housing rights under the Violence Against Women Act (VAWA) protections regardless of sex, sexual orientation, or gender identity
- Retaliation, intimidation, or interference related to exercising a fair housing right or a VAWA right (such as filing a complaint; testifying in a proceeding), or helping others to do so

Who is subject to the law?

Anyone who has control over residential property and real estate financing must obey fair housing law. This includes rental managers, property owners, real estate agents, landlords, banks, developers, builders, and individual homeowners who are selling or renting their property.

A full review of forbidden actions is available at the **U.S. Department of Housing and Urban Development (HUD)** [Housing Discrimination Under the Fair Housing Act website](#).

How do I file a fair housing complaint?

Complaints are to be made within one year of the alleged unlawful discriminatory housing practice.

- **Housing discrimination complaints may be filed by any person or persons in Buncombe County** for investigation online at <https://www.buncombecounty.org/i-want-to/contact/filediscrimination-complaint.aspx> or by contacting the Buncombe County Non-Discrimination Coordinator at (828) 250-6568 or NDO@buncombecounty.org. TDD # 7-1-1 and Toll free (800) 735-2962. The facts and circumstance of the alleged housing discriminatory acts or practice will be provided when filing the complaint.

Upon receiving a housing discrimination complaint, the Non-Discrimination Coordinator will, within 10 days, inform the NC Human Rights Commission of the complaint. The Non-Discrimination Coordinator will, when reporting the housing discrimination complaint, offer to assist the Commission in investigation and reconciliation where alleged events are occurring in Buncombe County. The Non-Discrimination Coordinator may also assist the complainant in filing housing discrimination claims with the North Carolina Human Relations Commission.

- **Housing discrimination complaints may also be filed directly to NC Office of Administrative Hearings - Civil Rights Division:** <https://www.oah.nc.gov/civil-rights-division/housing-discrimination> through an [Online Complaint Form, fillable form \(including Spanish\)](#), by phone at (984) 236-1919 or by email at hrc.complaints@oah.nc.gov.

More information on the N.C. website for Housing Discrimination Complaint Process FAQs can be found here: <https://www.oah.nc.gov/civil-rights-division/housing-discrimination/fair-housing/housing-discrimination-complaint-process>

- **A complaint may also be filed with HUD** through an [Online Complaint Form](#) or reach out to the [U.S. Housing and Urban Development: The Office of Fair Housing and Equal Opportunity](#) at its National Discrimination Hotline at (800) 669-9777 or (800) 877-8339

What are other resources regarding fair housing?

The [Fair Housing Center A Project of Legal Aid of North Carolina](#) website has additional information and resources.

[Pisgah Legal Services](#) (phone: (800) 489-6144 or (828) 253-0406).