



# Fair Housing and Homeowners' Associations

Homeowners' associations, including cooperative, condominium and townhome associations, must respect the fair housing rights of current and prospective residents.

## **Who is Protected by Fair Housing Laws?**

- The Federal Fair Housing Act prohibits a housing provider from discriminating against any person on the basis of race, color, national origin, religion, sex, familial status or disability.
- Illinois further protects individuals on the basis of age, marital status, sexual orientation, ancestry, or military discharge status. Cook County adds source of income or housing status as protected classes.

## **Specifically, Homeowners' Associations:**

- Must treat all potential buyers or renters the same, regardless of race, national origin, or other legally protected classes.
- May not impose occupancy restrictions on the number of people who can live in a unit more restrictive than local law.
- Must make a reasonable accommodation to a resident's disability. This may require authorization to install a ramp, making common areas accessible, or providing resident designated handicapped parking.
- Must not treat service animals as pets.

- Must not have a no-child policy unless the complex or building complies with the Housing for Older Persons Act (1995). Certain exceptions may apply if the senior has custody of a minor.

## **Boards of Directors Cannot:**

- Apply rules unequally or inconsistently.
- Make rules that have a discriminatory effect. This means that the association can be liable for discrimination even if the board did not intend for a rule to be discriminatory; solely the effect of the rule is considered.

**Contact *Interfaith Housing Center*** if you feel you are the victim of housing discrimination, or would like to more fully understand your fair housing rights and responsibilities in a homeowners' association.

**Interfaith Housing Center** is the area's premier advocate for fair and affordable housing, a not-for-profit, membership-based agency founded in 1972.

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