

FAIR HOUSING LAW IN INDIANA

STUDY SHEET

Summary

This section presented information you'll use to understand and comply with fair housing laws. You learned about protected classes, covered transactions, prohibited actions, exemptions, and enforcement.

Top Takeaways

- The federal Fair Housing Act lists seven protected classes: race, color, religion, national origin, sex, familial status, and disability.
- Housing intended for seniors has a fair housing exemption, as do certain owner-occupied rentals that fall under the "Mrs. Murphy" exemption.
- Real estate licensees are prohibited from discriminating on the basis of a protected class in any real estate transaction. That includes sales, rentals, advertisements, financing, brokerage services, and appraisal.
- Advertising that shows partiality, restriction, or intent to discriminate related to any protected class is illegal. Write ads based on property features, not buyer characteristics.
- The Office of Fair Housing and Equal Opportunity (FHEO) enforces federal fair housing laws.
- Violation of fair housing law can result in license suspension or revocation, lawsuits, and payment of damages, fines, and attorney fees.
- Indiana's fair housing law is substantially equivalent to the federal Fair Housing Act.

Civil Rights Act of 1866

Recognizes all persons born in the U.S. as citizens, regardless of race, with rights to enter into contracts and to buy, sell, convey, inherit, and possess property

Title VIII of the Civil Rights Act of 1968

Also known as the federal Fair Housing Act; created protections in the sale, rental, and financing of housing based on race, color, national origin, and religion

Housing and Community Development Act of 1974

Added sex to the list of classes protected under the Fair Housing Act

ECOA

Equal Credit Opportunity Act of 1974; protects equal access to credit; prohibits discrimination on the basis of race, color, religion, national origin, sex, marital status, or age

Fair Housing Amendments Act of 1988

Added familial status and disability to the classes protected under the Fair Housing Act

Americans with Disabilities Act of 1990 (ADA)

Prohibits discrimination based on disability; applies in part to public entities and public housing

Housing for Older Persons Act of 1995 (HOPA)

Makes housing intended for persons 55 or older exempt from familial status discrimination

Take a look back at your notes for these items:

- Protected classes
- Covered transactions
- Prohibited actions
- Exemptions
- Rights and responsibilities of the broker, home seller, and homebuyer
- Discriminatory and nondiscriminatory advertising
- Consequences of violating fair housing law