

National Origin Discrimination

FAIR HOUSING HIGHLIGHT #2

What is National Origin Discrimination and who does it affect?

National origin discrimination is being treated differently or being denied housing because of your national origin. Housing discrimination based upon national origin is prohibited by federal and state fair housing laws. Legal non-citizen residents, naturalized citizens, U.S. born citizens and undocumented immigrants can all be victims of national origin discrimination.

Can a landlord inquire about legal status of consumers?

The Fair Housing Act does not prohibit discrimination based solely on a person's legal residency status. Therefore asking to provide documentation of legal residency would not violate Fair Housing laws. However, if the landlord has made this a requirement, *ALL* applicants must be required to provide proof of legal status. It should be noted that asking for verification of legal status does not constitute a "business necessity", and therefore is not mandatory. Federally subsidized housing (i.e. Section 8 or public housing) does require proof of legal residency.

Is it illegal to rent to a person who is not a legal resident?

No, it is not a crime to rent to an illegal immigrant nor does this qualify as "harboring an illegal alien". It is only illegal to hire an undocumented alien for employment purposes.

Is it illegal to require social security for a credit check?

No, it is not illegal to require a social security number for a credit check, so long as it is asked to all applicants. A landlord can offer alternatives to income verification such as a Individual Tax Identification Number (ITIN) or other government issued documents that provide proof of identity, and not just rely upon social security numbers and standard credit checks.

Is legal status required to file a fair housing complaint?

Any person can file a complaint and may not be intimidated or threatened or prevented from filing the complaint, regardless of immigration status.

Will anyone inquire about my legal status during the complaint process?

The US Department of Housing and Urban Development does not have a formal policy regarding this but legal status **should** not be an obstacle to filing an administrative complaint.

What are some of the barriers immigrants face in enforcing their fair housing rights?

Some of the barriers faced by immigrants are language barriers, cultural differences, mistrust and fear of "institutions", fear of retaliation for filing complaints, and lack of knowledge of judicial system and Fair Housing protections.

**Questions? Call the Fair Housing Rights Center in Southeastern Pennsylvania at 215 576-7711
or visit us online at www.fairhousingrights.org.**