

## **Familial Status Discrimination**

### **FAIR HOUSING HIGHLIGHT #5**

#### **What is familial status discrimination?**

Familial status discrimination refers to discrimination due to the presence of children under the age of 18 in the household.

#### **Who is protected under the Fair Housing Act in regards to familial status?**

Parents, legal guardians, or persons with custody of children under the age of 18 are protected. Also, women who are pregnant, those in process of securing legal custody, and those who are looking to adopt a child in the future are also protected under the Fair Housing Act.

#### **What does familial status discrimination look like?**

- Refusal to rent to families with children—having a No Children policy;
- Advertisements with phrases which indicate a preference for adults, such as “adult atmosphere” or “mature couples” are unlawful;
- Discouraging families with children from applying to a unit or steering them to certain areas in a complex or neighborhood;
- Requiring families with children to live in a specific unit, section or floor of a building, or building;
- Demanding that children of opposite sex have separate bedrooms;
- Refusing to rent based on perceived risks and dangers of the property (such as lead paint, steep steps, located near train tracks);
- Inquiring about pregnancy;
- Inquiring about childcare arrangements;
- Inquiring about the ages of the occupants &/or how many will be children;
- Charging extra for children.

#### **Does familial status discrimination occur often?**

In 2001, 25% of the complaints received by the Fair Housing Rights Center were based upon familial status discrimination. Nationally, familial status complaints made up about 15% of the total reported cases of housing discrimination. And according to a recent Urban Institute study, 3 out of 5 people do not know that it is illegal to treat households with children differently from households without children.

**Questions? Call the Fair Housing Rights Center in Southeastern Pennsylvania at 215-625-0700,  
Toll-Free at 1-866-576-1968,  
or visit us online at [www.fairhousingrights.org](http://www.fairhousingrights.org).**

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