
FAIR HOUSING GUIDE

**You Have a Right to Live
Where You Can Afford to Live**



**Morgan County
Fair Housing**

**The Ohio Civil Rights Commission
www.crc.ohio.gov**



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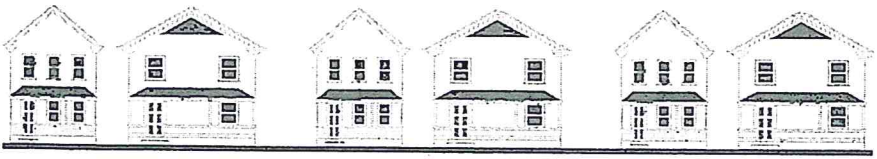


Introduction

In 1965, Ohio became one of the first states to enact Fair Housing Legislation. On June 30, 1992, Governor George Voinovich signed House Bill 321, which enacted changes in the classes of persons protected by the Ohio Fair Housing Law, and significantly enhanced the enforcement powers of the Ohio Civil Rights Commission. The law gives all persons in the protected classes the right to live wherever they can afford to buy a home or rent an apartment.

Section 41112.02 (H) of the Ohio Revised Code states that it is unlawful, on the basis of race, color, religion, sex, national origin or ancestry, disability, or familial status to:

- Refuse to rent, sell, finance, or insure housing accommodations or residential property,
- Represent to any person that housing accommodations are not available for inspection, sale, rental or lease.
- Refuse to lend money for the purchase, construction, repair, rehabilitation, or maintenance of housing accommodations or residential property,
- Discriminate against any person in the purchase, renewal, or terms and conditions of fire, extended coverage, or home owner's or renter's insurance.
- Refuse to consider without prejudice the combined income of both spouses.
- Print, publish, or circulate any statement or advertisement which would indicate a preference or limitation.
- Deny any person membership in any multiple listing service, or real estate broker's organization.



All housing accommodations, residential buildings, vacant lots or other property used for residential purposes are covered by the law. However, religious, fraternal, or bona fide private organizations which provide housing accommodations may give a preference to their own members.

Definitions

Housing Accommodations . . .

Includes any building or structure, or portion of a building or structure, that is used or occupied, or is intended, arranged, or designed to be used or occupied, as the home residence, dwelling, dwelling unit, or sleeping place of one or more individuals, groups or families, whether or not living independently of each other; and any vacant land offered for sale or lease.

Familial Status

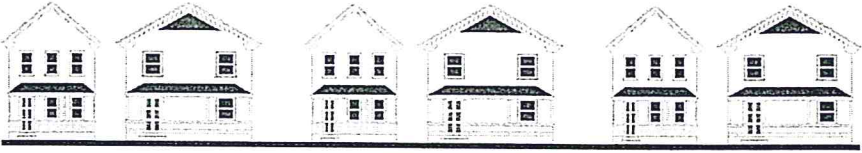
Means either of the following:

One or more individuals who are under eighteen years of age and who live with a parent or guardian having legal custody of that person, or who live with the designee of the parent or guardian having legal custody of that person, or

Any person who is pregnant, or in the process of securing legal custody of any individual who is under eighteen years of age.

Blockbusting . . .

The act of intimidating owners to sell or rent by telling them that minority groups are moving into the neighborhood, and the value of their properties will decrease.



Steering . . .

The practice of restricting, or attempting to restrict the choices of a person by words or conduct in connection with seeking, negotiating for, buying, or renting a dwelling so as to perpetuate, or tend to perpetuate, racially segregated housing patterns in an interracial neighborhood or community.

Mortgage Redlining . . .

The practice of refusing to make loans for purchase of a home because of the minority composition of the neighborhood.

Insurance Redlining . . .

The act of refusing to sell homeowner's insurance, or to provide hazard insurance coverage because of the minority composition of the neighborhood.

Federal Law

The Fair Housing Act of 1968, as amended, also prohibits discrimination in housing on the basis of race, color, religion, sex, national origin, familial status, or disability.

Familial Status

The familial status provision, with limited exceptions, prohibits a housing provider from denying housing to families with children; however, protection is not applicable if housing is intended for, and to be occupied only by persons 62 years or older; or at least one person 55 years or older resides in each unit.



Protection For Persons With Disabilities

The law states that protection is provided for persons who have a disability as defined by the law, or who have a history of a disability, or who are perceived as being disabled. The law also protects those persons who are associated with a disabled person.

Reasonable accommodation of a person's disability, and/or modifications of the housing accommodations that will afford the person with a disability full enjoyment of the premises or services of the housing accommodations, must be provided for all common use areas. Under some limited circumstances, the landlord, manager, or owner of the housing accommodations must pay the expense of these reasonable accommodations or modifications. Under other circumstances, that cost can be paid by the occupant or user of the housing accommodations.

All new construction designed or first occupied on or after March 13, 1991, must meet accessibility standards for persons with disabilities.

Signs of Discrimination

Discrimination in housing is often indirect or subtle. A landlord, housing agent, or seller of a house will seldom say, "I will not rent or sell to you because you are black (or female, or disabled)." What you are more likely to hear is "I'm sorry, but the apartment is already rented," or "we have decided not to sell at this time."

Other Signs of Discrimination

"I'm sorry, but . . .

. . . the house or apartment is not for sale or rent to single women."

. . . The purchase down payment is 40% or the deposit is three (3) month's rent."

. . . I think you would be happier in another section of town."



What To Do If You Suspect Housing Discrimination

- Make immediate detailed notes of your experience; date time, place, names of agents, or landlords, what you saw, and what you were told.
- Call or visit the nearest Regional Office of the Ohio Civil Rights Commission. An Investigator will speak with you and schedule an appointment to discuss your complaint and help you file a charge.

or

- Call or write directly to the U.S. Department of Housing and Urban Development (HUD):

Chicago Regional Office - Region V
Fair Housing and Equal Opportunity
626 West Jackson Blvd.
Chicago, Illinois 60606-5601
(312) 353-7776

or

- Call the Fair Housing Complaints “hotline” at 1-800-424-8590. Hearing Impaired Persons may call 1-800-543-8294 (TDD).

Although you may not personally want to submit a complaint, you should report any information about violations of the Federal Fair Housing Law to HUD. If you want to file a complaint with HUD, you must do so within one (1) year of the violation.



The Ohio Civil Rights Commission will assist you with attempts to meet the following requirements necessary to ensure that your complaint is filed with both agencies:

- A formal charge must be filed
- The charge must be taken under oath
- The charge must be filed with OCRC

When Should A Charge Be Filed?

A charge of unlawful discrimination in housing must be filed with the Ohio Civil Rights Commission within one year of the date the violation allegedly occurred. If it is not filed within this one year period, neither the Ohio Civil Rights Commission or the U.S. Department of Housing and Urban Development will have legal authority to act on your complaint.

The Commission must complete its investigation of the charge of discrimination within one hundred (100) days. During that time, the Commission will either negotiate a settlement of the charge, or make a finding as to whether or not the evidence substantiates that the law has been violated. If the evidence is insufficient to meet the legal standards of proof to show a violation of the law, the Commission will dismiss the charge. If the evidence is sufficient to meet the legal standards for a finding of “Probable Cause”, the Commission will be empowered to seek any and all appropriate remedies.



Remedial Powers Of The Ohio Civil Rights Commission

If it determines that a violation of Section 4112.02 (H) of the Ohio Revised Code has occurred, or is about to occur, the Commission can do any of the following:

- Refer the matter to the Office of the Ohio Attorney General to obtain a temporary or permanent injunction, or a temporary restraining order, from a Court of Common Pleas.
- Order the Respondent to pay actual damages, reasonable attorney's fees, and punitive damages up to fifty thousand dollars.

Once the Commission has made a "Probable Cause" finding, the person who filed the charge of discrimination must choose between the administrative procedures of the Ohio Civil Rights Commission, or having the Ohio Attorney General file a private civil suit in the Court of Common Pleas on their behalf.



Regional Offices

If you believe you have been discriminated against, contact one of the following Regional Offices for assistance.

There is no cost involved, nor is an attorney's presence necessary.

AKRON REGIONAL OFFICE

Akron Government Center
161 S. High Street, Suite 205
(330) 643-3100
(330) 643-1488 (TTY)

CLEVELAND REGIONAL OFFICE

Frank Lausche Building
615 W. Superior Avenue
Suite 885
Cleveland, Ohio 44113
(216) 787-3150
(216) 787-3549 (TTY)

DAYTON REGIONAL OFFICE

40 W. 4TH Centre
Suite 1900
Dayton, Ohio 45402-1831
(937) 285-6500 (Voice/TTY)

CINCINNATI REGIONAL OFFICE

Corporate Tower
7162 Reading Road, Ste. 1001
Cincinnati, Ohio 45237
(513) 852-3344 (Voice/TTY)

COLUMBUS REGIONAL OFFICE

1111 E. Broad Street, Suite 301
Columbus, Ohio 43205-1379
(614) 466-5928
(614) 752-2391 (TTY)

TOLEDO REGIONAL OFFICE

One Government Center
Jackson & Erie Streets
Room 936
Toledo, Ohio 43604
(419) 245-2900 (Voice/TTY)

SATELLITE OFFICES

SPRINGFIELD OFFICE

76 E. High Street
2nd Floor
Springfield, Ohio 45502
(937) 324-7380 (TTY)

YOUNGSTOWN OFFICE

2123 Belmont Avenue
Youngstown, Ohio 44505
(330) 746-3240

Toll Free 1-888-278-7101



Morgan County Fair Housing

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155 E. Main Street, Room 135
McConnelsville, Ohio 43756
740-962-1322

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This brochure is intended to provide general information only. Specific questions should be addressed to the above or an attorney.
