




# Baltimore County Fair Housing Law

## Fact Sheet

In accordance with the Fair Housing Act and the Department of Housing and Urban Development (HUD) regulations, Baltimore County is committed to affirmatively furthering fair housing through education, outreach and enforcement of non-discrimination and equal opportunity in housing. Federal, state and the County's local Fair Housing laws prohibit discrimination in housing based on a person's **"Protected Class"**.

**Protected Class:** *certain groups of individuals protected by anti-discrimination laws, such as women, older workers, people with disabilities, minorities and others.*

Maryland and Baltimore County are separate jurisdictions, but both follow Federal laws related to protected class. Baltimore County follows all Maryland laws related to protected class. Through successful legislative efforts, Baltimore County's municipal code includes 3 unique protected classes which are not found in Federal or Maryland laws. Each jurisdiction has the ability to create its own laws to prohibit discrimination in housing and any other aspect of life.

Federal	State of Maryland	Baltimore County
<p>The Fair Housing Act of 1968 and its Amendment of 1988 protect people from discrimination when they are renting or buying a home, getting a mortgage, seeking housing assistance, or engaging in other housing-related activities prohibiting discrimination in housing regardless of:</p>	<p>Pursuant to State Government Article, §20-702, Annotated Code of Maryland, it is the policy of the State of Maryland to provide for fair housing throughout the State, to all its citizens, regardless of:</p>	<p>Pursuant to Baltimore County Code, § 29-2-102, a person who has the right to sell, rent, control, construct, or manage a dwelling may not engage in discrimination, meaning acting, or failing to act, or unduly delaying an action regarding a person because of the person's:</p>
<ul style="list-style-type: none"> <li>• Race</li> <li>• Religion</li> <li>• Color</li> <li>• National Origin</li> <li>• Sex (including gender identity and sexual orientation)</li> <li>• Disability</li> <li>• Familial Status (pregnant women or the presence of children under 18)</li> </ul> 	<ul style="list-style-type: none"> <li>• Race</li> <li>• Religion</li> <li>• Color</li> <li>• National Origin</li> <li>• Sex</li> <li>• Disability</li> <li>• Familial Status (pregnant women or the presence of children under 18)</li> <li>• <b>Marital Status</b></li> <li>• <b>Sexual Orientation</b></li> <li>• <b>Gender Identity</b></li> <li>• <b>Source of Income</b></li> </ul>	<ul style="list-style-type: none"> <li>• Race</li> <li>• Religion</li> <li>• Color</li> <li>• National Origin</li> <li>• Sex</li> <li>• Physical or Mental Disability</li> <li>• Familial Status (pregnant women or the presence of children under 18)</li> <li>• Marital Status</li> <li>• Sexual Orientation</li> <li>• Gender Identity or Expression</li> <li>• Source of Income</li> <li>• <b>Creed</b></li> <li>• <b>Age</b></li> <li>• <b>Status as a Veteran</b></li> </ul>

Do you believe someone discriminated against you while you were renting a home, or trying to obtain rental housing; or during the home sales process; or while you were trying to obtain a home mortgage loan? If so, contact: David Skinner at [dskinner@baltimorecountymd.gov](mailto:dskinner@baltimorecountymd.gov) or call Baltimore County DHCD at 410-887-8383.



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## What do Fair Housing laws prohibit?

Discrimination based on a renter or buyer's membership in a Federal, State, or local protected class is prohibited. A person who has the right to sell, rent, control, construct, or manage a dwelling must not:

- Refuse to rent a dwelling to any qualified buyer or renter;
- Use discriminatory terms and conditions in selling or renting;
- Set terms and conditions of home loans in such a way as to discriminate;
- Use discriminatory notices or advertisements indicating a preference or discriminatory limitations;
- Say that a dwelling is not available for inspection, sale, or rent when, in fact, it is available;
- Attempt to steer persons into or away from neighborhoods or apartment complexes due to being members of a protected class;
- Treat a person differently from everyone else because of race, color, disability, familial status (parent or legal custodian with children, pregnant), religion, sex, marital status, national origin, sexual orientation, gender identity, or source of income;
- Request information about birth control and/or family planning practices;
- Refuse to consider both applicants' incomes when seeking to buy or rent;
- Commit acts of prejudice, violence, harassment, intimidation, or abuse directed against families or individuals or their residential property.

## What are exemptions to Fair Housing Laws?

- Owner-occupied buildings with 4 units or fewer
- Single-family housing sold without use of a broker
- Housing operated by organizations and private clubs that limit occupancy to members
- Some senior housing facilities and communities are exempt from liability based on familial status
- Gender preference may be acceptable if there is a shared kitchen or bath

## Housing Providers Should

- Treat each applicant equally.
- Be consistent in the information you request and the applicant approval process.
- Document contacts with applicants and tenants in writing.
- Keep a written copy of your policies and procedures on applications and occupancy.
- Educate and train employees about Fair Housing Laws and practices.

## Housing Providers Should Not

- Never make, print, or publish any statement, in connection with the rental of a dwelling that indicates a preference, limitation, or discrimination based on a protected class. *This prohibition applies to single-family and owner-occupied housing that is otherwise exempt from laws prohibiting housing discrimination.*
- Never refuse to consider the income of multiple applicants applying to live together in one housing unit.
- Never threaten, coerce, intimidate, or interfere with anyone exercising a fair housing right or assisting others who exercise that right.
- Never ask illegal questions about an applicant's marital status, religious practices, or sexual orientation.
- Never steer applicants away from their desired property to other rental property owners or neighborhoods.
- Never ask applicants about birth control or family practices.

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## Reasonable Accommodations and Reasonable Modifications

Under the federal Fair Housing Act (FHA), a reasonable accommodation is a change, exception, or adjustment to a rule, policy, practice, or service. It is unlawful for housing providers to refuse to make reasonable accommodations to rules, policies, practices, or services when such accommodations may be necessary to afford persons with disabilities an equal opportunity to use and enjoy a dwelling and public and common use areas.

### **If a tenant, or member of their household:**

- Has a physical or mental disability that substantially limits one or more major life activities
- Has a record of such disability
- Is regarded as having such a disability

### **A housing provider owner may not:**

- Refuse to make reasonable accommodations in rules, policies, practices, or services, if necessary for the disabled person to use the housing
- Refuse to let the tenant make reasonable modifications to the dwelling or common use areas, at the tenant's expense, if necessary for the disabled person to use the housing
- Charge a fee for a service animal or an emotional assistance animal

FHA law permits housing providers to deny a request for a disability-related accommodation when providing the accommodation would be unreasonable—that is, it would impose an undue financial and administrative burden on the housing provider's community, or fundamentally change its operations, according to the HUD/DOJ guidelines.

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