

# Fair Housing Billings

Everyone has the right to be treated equally  
when searching for a place to call home!





## Fair Housing: It's Your Right!

The Fair Housing Act was enacted in 1968 to end housing discrimination on the basis of a person's protected class. The Fair Housing Act of 1968 made it illegal for housing providers to discriminate against individuals on the basis of race, color, national origin, sex, or religion. In 1988, Congress amended the Fair Housing Act and included two additional protected classes; disability and familial status. The Fair Housing Act promotes freedom, inclusion, integration, and equal opportunity for all.

The Montana Human Rights Act was enacted in 1965, and prohibits discrimination on race, creed, religion, color, sex, physical or mental disability, age, or national origin.

Both the Federal Fair Housing Act and the Montana Human Rights Act offer protection to individuals to ensure equal housing opportunities for all.

### Federal Fair Housing – Protected Classes

- Disability, including people with HIV / AIDS and people in recovery from alcohol /drugs.
- Race / Color
- Religion
- Sex — includes protection against sexual harassment
- Familial Status – presence of children under the age of 18 and / or pregnancy
- National Origin

If you feel your rights have been violated as a member of a federally protected class, you may contact the Office of Fair Housing and Equal Opportunity to file a complaint.

**CALL: 1-800-877-7353 toll free | 303-672-5437 general intake | 303-672-5248 TTY.**

### Fair Housing – Montana Protected Classes

- Marital Status
- Creed
- Age

A complaint may also be filed (within 180 days after the discriminatory activity occurred) under state law with the Montana Human Rights Bureau by calling **1-800-542-0807**.

For more information on either Federal or Montana protected classes, contact Montana Fair Housing at **1-800-929-2611** or call the local Fair Housing Hotline at **406-256-9355**.

### HUD-Assisted / Insured Housing-Protected Classes

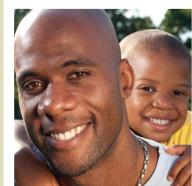
Programs funded through the U.S. Department of Housing and Urban Development (HUD) contain provisions to ensure equal opportunity for all eligible individuals regardless of their protected class, including sexual orientation and / or gender identity. Please see the HUD website ([www.hud.gov/lgbt](http://www.hud.gov/lgbt)) for additional information.

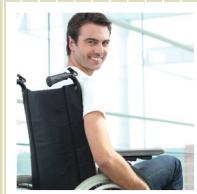
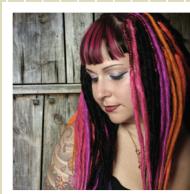
# What is Housing Discrimination?

Housing discrimination is treating people differently in housing transactions based on their protected class status, and / or making decisions about housing eligibility based on an applicant's protected class.

## Examples of Housing Discrimination:

- Refusing to sell, rent or deal with a particular person based only on their protected class.
- Falsely denying that a rental unit is available to applicants in a protected class.
- Setting more restrictive standards, such as higher income, for tenants in a protected class.
- Refusing to accommodate the needs of a tenant with a disability, such as not allowing an Assistance Animal.
- Steering—the practice of directing people to more 'appropriate' neighborhoods.
- Setting different terms, conditions or privileges for any housing transaction.
- Advertising housing as being available only to certain people. For example, 'Adults Only—No Children Allowed'.
- Harassing, coercing, intimidating or interfering with a person's ability to exercise fair housing rights.
- Refusing to let a disabled person make reasonable modifications to a dwelling.
- Charging an additional security deposit or additional monthly fees for having an Assistance Animal.





## American Indians

**It is illegal for housing providers to discriminate against individuals on the basis of race!**

**However, in Billings, Montana:**

“...American Indian renters face significant levels of discrimination [in Billings] primarily due to denial of information about the availability of housing units...American Indian renters were significantly more likely to be denied information about available housing units than comparable whites.”

- In 10 percent of tests, only the white tester was told about the availability of units similar to the advertised unit.
- Whites were told about more available units than their Indian counterparts in 17.3 percent of tests.
- Overall, whites were favored with respect to housing availability in 18.2 percent of tests.

*Discrimination in Metropolitan Housing Markets, Phase 3—Native Americans.*

*Prepared for Office of Policy Development and Research, US Dept. of Housing and Urban Development.*

## People with Disabilities

A disability is any impairment that substantially limits a major life activity or activities, a record of having an impairment, and a condition that is perceived/regarded as an impairment. A housing provider cannot ask about the nature and severity of a disability, but they can ask whether a reasonable accommodation is necessary for a person's disability and full use of the premises.

### Types of Disabilities

- Physical Disability
- Psychological disability
- Hearing or vision impairment
- Developmental Disability
- Epilepsy or cerebral palsy

### People in Recovery from Alcohol / Drugs

**A person in recovery from alcohol and/or drugs is protected under the Fair Housing Act!** Reasonable Accommodations include the consideration of mitigating circumstances such as an explanation for bad tenancy, credit or criminal history, if the history is related to a disability.

## People who have been diagnosed with HIV/AIDS

**A person diagnosed with HIV/AIDS is protected under the Fair Housing Act!**

A housing provider cannot deny housing or treat a person differently based on HIV status.

Reasonable Accommodations may include: installing ramps/handrails when needed to deal with physical constraints; allowing an extra assigned parking space for a personal aide; waiving a “no air conditioner” policy to assist with HIV-related heat concerns.

## Reasonable Accommodation

- Individuals with a disability can lawfully request Reasonable Accommodations!
- Housing providers need to consider and respond to requests for reasonable accommodation, and accommodations must be practical and feasible.
- Housing providers cannot treat a person with a disability differently than a similarly situated person without a disability.

A housing provider must allow reasonable modifications at the home seeker's expense to the existing housing or common use areas if the proposed modifications are necessary for a person's disability and full use of the premises. To show that a requested modification may be necessary, there must be a nexus between the requested modification and the individual's disability. A landlord may require the resident to restore the unit's interior to a prior state, but cannot require improvements made to common use areas to be restored to original condition.

Housing providers should do everything they can to assist persons with disabilities, but they are not required to make changes that would fundamentally alter their program or create an undue financial and administrative burden.

## Assistance Animals

- An Assistance Animal is any animal providing assistance to an individual with a disability, and is not considered a 'pet'.
- Persons with disabilities must explain how the requested reasonable accommodation for an Assistance Animal is necessary.
- A housing provider may ask for verification that a person has a disability and has a need for the animal that relates to the disability. The verification does not have to identify a particular diagnosis or treatment.
- A housing provider may not require a person provide medical records.
- Housing providers with 'no pet policies' must consider reasonable accommodation requests for an Assistance Animal.
- Housing providers cannot require additional deposit / monthly rental fees for Assistance Animals.





## Filing a Complaint

If you have been trying to buy or rent a home or apartment and you believe your rights have been violated, you may file a fair housing complaint by calling the Office of Fair Housing and Equal Opportunity, Denver Regional Office:

- **1-800-877-7353** toll free
- **303-672-5437** general intake
- **303-672-5248** TTY

**You can also:**

**Print a complaint form:**

<http://www.hud.gov/offices/fheo/online-complaint.cfm>

Mail it to: Office of Fair Housing & Equal Opportunity, 1670 Broadway  
22nd Floor, Denver, Colorado 80202.

**For more information, contact**

**Montana Fair Housing** at **1-800-929-2611** or  
call the local Fair Housing Hotline at **406-256-9355**.

**Remember, Fair Housing is your right!  
If you do not report discrimination,  
it cannot be stopped!**

# Fair Housing Resources

Montana Relay: 711

## Fair Housing Enforcement

### HUD Office of Fair Housing & Equal Opportunity

1670 Broadway, 22nd Floor, Denver, CO 80208  
General Intake: 303-672-5437  
Toll Free: 1-800-877-7353  
[www.hud.gov](http://www.hud.gov) [www.espanol.hud.gov](http://www.espanol.hud.gov)

## Montana Fair Housing

519 East Front Street, Butte, MT 59701  
Phone: 406-782-2573  
Toll Free: 1-800-929-2611  
Email: [inquiry@montanafairhousing.org](mailto:inquiry@montanafairhousing.org)  
[www.montanafairhousing.org](http://www.montanafairhousing.org)

## Human Rights Bureau

1625 11th Avenue, Helena, MT 59624  
General: 406-444-2884  
Toll Free: 1-800-542-0807  
Case Manager: 406-444-4356  
<http://erd.dli.mt.gov/human-rights-bureau.html>

## Other Legal Assistance

### Self Help Law Center

Parmly Billings Library, 4th Floor  
510 North Broadway, Billings, MT 59101  
406-869-3531

### Montana Supreme Court

### Self Help Law Center

<http://courts.mt.gov/selfhelp/default.mcpx>

## Montana Law Help

[www.montanalawhelp.org](http://www.montanalawhelp.org)

## Montana Legal Services

Helpline: 1-800-666-6899  
[www.mtlsa.org](http://www.mtlsa.org)

## Fair Housing Education

### Community Housing Resource Board

Fair Housing Referral Hotline:  
406-256-9355  
[www.billingschrb.com](http://www.billingschrb.com)

## Affordable Housing

### Housing Authority of Billings

2415 1st Avenue North  
Billings, MT 59101  
Phone: 406-245-6391  
[www.billingsha.org](http://www.billingsha.org)

## Housing/Credit Counseling

### District 7 HRDC

7 North 31st Street  
Billings, MT 59101  
406-247-4736  
[www.hrdc7.org](http://www.hrdc7.org)

## Rural Dynamics, Inc.

1620 Alderson Avenue, #27  
Billings, MT 59102  
Phone: 406-656-4370  
[www.ruraldynamics.org](http://www.ruraldynamics.org)

## Landlord Support

### Montana Landlord Association

Phone: 406-252-5334  
[www.mlaonline.org](http://www.mlaonline.org)



# Community Development Division

PO Box 1178 | Billings, MT 59103  
(406) 657-8281 Montana Relay 711



The work that provided the basis for this publication was supported by funding under a grant with the U.S. Department of Housing and Urban Development. The substance and findings of the work are dedicated to the public. The author and publisher are solely responsible for the accuracy of the statements and interpretations contained in this publication. Such interpretations do not necessarily reflect the views of the Federal Government.

The City's Community Development Division programs are open to all eligible persons, regardless of race, color, National Origin, Disability, Familial Status, Sex, Religion, Creed, Marital Status, Age, Sexual Orientation or Gender identity.



EQUAL HOUSING  
OPPORTUNITY