



(image description: SouthCoast Fair Housing logo)

SouthCoast Fair Housing



(image description: woman in apartment with her hand outstretched to indicate “stop” towards a man standing in doorway facing her)

THE INTERSECTION OF FAIR HOUSING & SEXUAL HARASSMENT

HOUSING DISCRIMINATION IS ILLEGAL

The federal Fair Housing Act prohibits discrimination in housing-related transactions because of *race, color, religion, national origin, sex, disability* or *familial status (presence of minor children or pregnancy)*.

The Massachusetts and Rhode Island fair housing laws prohibit housing discrimination on the basis of these additional protected classes:

- age
- veteran or military status
- sexual orientation
- gender identity
- marital status
- receipt of public assistance (e.g. food stamps)

- use of housing subsidy (e.g. Section 8)
- receipt of child support or alimony‡
- status as a victim of domestic violence‡
- genetics*

*Massachusetts only

‡ Rhode Island only

Fair housing laws apply to a wide variety of housing transactions, including rentals, sales, home mortgages, appraisals and homeowner's insurance. Landlords, real estate agents, lenders, insurance companies, and condominium, cooperative and homeowner associations are prohibited from discriminating against protected classes.

WHAT IS SEXUAL HARASSMENT?

Sexual harassment refers to any unwanted sexual advance, request for sexual favors, or other unwelcome verbal or physical conduct of a sexual nature.

DOES SEXUAL HARASSMENT QUALIFY AS DISCRIMINATION?

Sexual harassment in housing is a form of sex discrimination that violates the Fair Housing Act.

WHO IS PROTECTED AGAINST SEXUAL HARASSMENT?

All persons have a right to be free of sexual harassment in the context of housing, which includes, among other things, living in their

home, engaging in housing-related services, or attempting to secure housing. The sex, gender, gender identity, or sexual orientation of the person being harassed does not preclude that person from the legal protections afforded by fair housing laws. For example, lesbian, gay, bisexual, straight, transgender, cisgender, and gender non-conforming persons are all included under these laws. Similarly, the sex, gender, gender identity, or sexual orientation of the person responsible for the harassment does not exclude them from liability for that harassment.

WHAT ARE THE MAIN TYPES OF SEXUAL HARASSMENT?

- (1) Quid Pro Quo Sexual Harassment
- (2) Hostile Environment Sexual Harassment

WHAT IS QUID PRO QUO SEXUAL HARASSMENT?

Quid pro quo sexual harassment occurs when a housing provider (or any employee, agent, or contractor of the housing provider) places conditions on a person's access to or retaining housing (or housing-related services) on that person's submission to sexual conduct.

WHAT IS HOSTILE ENVIRONMENT SEXUAL HARASSMENT?

Hostile environment sexual harassment occurs when a housing provider (or any employee, agent, or contractor of the housing provider) or another tenant engages in sexual behavior that is so severe or pervasive that it alters the terms or conditions of tenancy and results in an environment that is intimidating, hostile,

offensive, or otherwise significantly less desirable.

EXAMPLES OF UNLAWFUL ACTIVITY*

Landlords and other housing providers may not:

- ask a person to perform sex or sexual favors to avoid eviction;
- ask a person to perform sex or sexual favors in exchange for reduced rent, repairs, excused late payments, or excused fees
- engage in unwelcomed sexual conduct, which may include making unwanted sexual advances, groping or touching;
- threaten eviction on the basis of refusal to engage in sexual conduct;
- make severe or pervasive unwelcome, sexually suggestive comments in person,

over the phone, or via text and enter a residence without permission;

- refuse to repair a residence if a person does not send nude photos;
- refuse to rent or sell to a person, or treat someone differently, because of their gender, gender identity, or gender expression;
- refuse to negotiate with a person because of their sexual orientation;
- treat a person differently because of their sexual orientation;
- attempt to evict or increase rent for reporting sexual harassment; or
- retaliate for reporting sexual harassment or refusing sexual advances.

*This list does not include every example of sexual harassment. If you believe you have been

sexually harassed by a landlord, housing provider, or any employee, agent, or contractor of the housing provider, please contact SouthCoast Fair Housing today to learn more about your options and how the law may protect you.

HOW CAN I REPORT SEXUAL HARASSMENT?

If you believe you have experienced sexual harassment or other forms of harassment based on your identity in a protected class, please contact SouthCoast Fair Housing for additional information and assistance. You may also file a Complaint directly with the U.S. Department of Housing and Urban Development, Massachusetts Commission Against Discrimination, or Rhode Island Commission for Human Rights or contact the U.S. Department of

Justice's Sexual Harassment in Housing Initiative.

WHEN LOOKING FOR HOUSING, SAVE THE FOLLOWING INFORMATION:

- Date and time of all contacts
- Name of the person whom and/or company with which you spoke
- Address of the property, including unit number
- Information about all units offered to you
- Details about any statements made to you related to your protected class (e.g. questions about your sex, gender, gender identity, sexual orientation or status as a survivor of intimate partner violence or domestic violence)

REMEMBER: Save all emails and text messages sent to or received from a housing provider (or any employee, agent, or contractor of the housing provider)!

Fair Housing is Your Right!

SouthCoast Fair Housing, Inc. (SCFH) works to eliminate housing discrimination and help develop inclusive communities throughout Rhode Island and southeastern Massachusetts. SCFH provides fair housing education, outreach, advocacy, and enforcement activities to ensure all individuals have equal housing opportunities.

If you contact SCFH to file a complaint, we may:

- Conduct an interview to obtain the facts
- Investigate your complaint
- Review investigation results with you and discuss your options

- Help you file a complaint
- Offer legal representation to victims of housing discrimination

For more information, to schedule a fair housing training, or to file a housing discrimination complaint, call (774) 473-9994 or (401) 285-2550, visit southcoastfairhousing.org or email info@southcoastfairhousing.org.



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For more information or to file a housing discrimination complaint, contact:

SouthCoast Fair Housing

257 Union Street

New Bedford, MA 02740

(774) 473-9994

1005 Main Street, Suite 1210

Pawtucket, RI 02860

(401) 285-2550

SouthCoastFairHousing.org

To contact us via TTY, using your TTY call 711, call MassRelay at 800-439-2370 (or 1-866-930-9252 for Spanish), or call Rhode Island

Relay at 1-800-745-5555 (or 1-866-355-9214 for Spanish) and provide our phone number.

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