Fair Housing Requirements

Under the U.S. Fair Housing Act and Texas Fair Housing Act, no one may take any of the following actions in the sale and rental of housing or in mortgage lending based on race, color, religion, sex, national origin, disability or familial status.

It is illegal for anyone to:

- Advertise or make any statement that indicates a limitation or preference based on race, religion, color, sex, national origin, disability or familial status. This prohibition against discriminatory advertising applies to all housing, including single-family and owner-occupied housing that is otherwise exempt from the Texas Fair Housing Act.
- Harass, coerce, intimidate, threaten or interfere with anyone exercising a fair housing right or assisting others who exercise their fair housing rights.
- Under the U.S. Fair Housing Act and Texas Fair Housing Act, no one may take any of the following actions in the sale and rental of housing or in mortgage lending based on race, color, religion, sex, national origin, disability or familial status.

When Familial Status Protections Are Available

Unless a building or community qualifies as housing for older persons, the owner or manager may not discriminate based on familial status.

Protection against discrimination based on familial status applies to:

- Families in which one or more children under age 18 live with
- A parent
- A person who has legal custody of the child or children
- Designees of the parent or legal custodian, with parent or custodian’s written permission
- Anyone securing legal custody of a child under age 18
- Pregnant women

When Housing for Elders Is Exempt from Prohibitions Against Familial Status Discrimination

Housing for older persons is exempt from the prohibition against familial status discrimination if any of the following are true:

- It is specifically designed for and occupied by elderly persons under a Federal, State or local government program
- It is occupied solely by persons who are age 62 or older
• It houses at least one person who is age 55 or older in at least 80 percent of the occupied units, and adheres to a policy that demonstrates intent to house persons who are age 55 or older

If You Have A Disability
If you have a physical or mental disability that substantially limits one or more major life activities, have a record of such a disability or are regarded as having such a disability, you are legally protected against housing discrimination based on that disability. Protection against housing discrimination due to a disability also applies for a person associated with you.

A landlord may not:
• Make an inquiry to determine if an applicant for a dwelling, or a person intending to reside in the dwelling, or any person associated with that person has a disability.
• Refuse to let you make reasonable modifications to your dwelling or common use areas, at your expense, if necessary for the disabled person to use the housing. (Where reasonable, the landlord may permit changes only if you agree to restore the property to its original condition when you move.)
• Refuse to make reasonable accommodations in rules, policies, practices or services if necessary so that the disabled person may have equal opportunity to use and enjoy the housing, including public and common-use areas. For example:
  - In a building with a "no pets" policy, a visually-impaired tenant must be allowed to keep a guide dog.
  - At an apartment complex that offers tenants ample, unassigned parking, management must honor a request from a mobility-impaired tenant for a reserved space near their apartment if necessary to assure that they can have access to the unit.

If you are disabled, you may request assistance in reading and completing Texas Workforce Commission Civil Rights Division [2] forms. Deaf, hard-of-hearing or speech-impaired customers may contact Relay Texas [5]: 800-735-2989 (TTY) and 711 (Voice).

Illegal Actions in the Sale and Rental of Housing
Under the U.S. Fair Housing Act and Texas Fair Housing Act, no one may take any of the following actions in the sale and rental of housing or in mortgage lending based on race, color, religion, sex, national origin, disability or familial status in the sale and rental of housing:
• Refuse to rent or sell housing
• Refuse to negotiate for housing
• Advertise housing to preferred groups of people only
• Show apartments or homes in certain neighborhoods only
• Say that housing is unavailable for inspection, sale or rental when in fact it is available
• Set different terms, conditions or privileges for sale or rental of a dwelling
• Provide different housing services or facilities
• Deny access to or membership in a facility or service (such as a multiple listing service) related to the sale or rental of housing
• Refuse to make certain modifications or accommodations for persons with a mental or physical disability

Illegal Actions in Mortgage Lending
Under the U.S. Fair Housing Act and Texas Fair Housing Act, no one may take any of the following actions in the sale and rental of housing or in mortgage lending based on race, color, religion, sex, national origin, disability or familial status in mortgage lending:
• Refuse to make a mortgage loan
- Refuse to provide information regarding loans
- Impose different terms or conditions on a loan, such as different interest rates, points, or fees
- Deny property insurance
- Conduct property appraisals in a discriminatory manner
- Refuse to purchase a loan
- Set different terms of conditions for purchasing a loan

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