



CVOEO Fair Housing Project

# ***Guide to Fair Housing in Vermont***



*“The CVOEO Fair Housing Project is dedicated to providing information, education, training, and advocacy about fair housing rights and to assisting communities and organizations with ways to increase inclusiveness and housing opportunity.”*

*Thriving Communities  
– Building a Vibrant Inclusive Vermont*



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## **What is fair housing?**

**Fair housing is the right to equal opportunity in housing.**

**Fair housing is your right to rent, finance, or purchase housing free from discrimination.**

**Housing discrimination occurs when a person is treated differently than others because of his/her membership in a protected category.**



## **PROTECTED CATEGORIES**

### **Federal**

**Race**

**Color**

**Religion**

**National Origin**

**Sex**

**Family Status**

**Disability**

### **Vermont**

**Age**

**Sexual Orientation**

**Gender Identity**

**Marital Status**

**Receipt of Public Assistance**

**Abuse, Sexual Assault, Stalking**

## **What is Prohibited?**

**The following actions are considered housing discrimination if they were taken because of a person's membership in a protected category:**

- **Refuse to rent or sell, refuse to consider for rental or sale, or otherwise make unavailable or deny a dwelling**
- **Provide different services**
- **Treat people differently or subject them to harassment**
- **Say a dwelling is unavailable when it is, in fact, available**
- **Make print or publish a notice, statement or advertisement which indicates any preference, limitation or discrimination**
- **Coerce, intimidate, threaten or interfere with any person in housing or for filing or supporting a discrimination charge**
- **Discriminate in the making or purchasing of loans, or in the selling, brokering, or appraising or real estate**
- **Retaliation**

## **Exemptions**

**Certain types of housing situations could be exempt from fair housing law. However, race based discrimination is always unlawful.**



**If you feel the your housing situation might be exempt from these laws, please contact one of the agencies listed page 13 to find out.**

## Family Status Discrimination

Family Status includes persons with minor children (under the age of 18), pregnant women, and persons looking to adopt/foster a child.

### *Discrimination sounds like...*

“This unit is unsafe for children because of (lead paint, steep stairs, etc).”

“There will be an extra \$ 100 deposit for each child.”

“You have too many children.”

### Occupancy Standards:

HUD has issued some guidelines on what makes an occupancy policy reasonable/unreasonable. When determining whether or not an occupancy policy is reasonable one should consider the size of bedrooms and unit, configuration of the unit, age of the children, other physical limitations of housing, state and local law, and other relevant factors such as discriminatory rules or statements being imposed upon families, or policies that specifically limit the number of *children* per unit as opposed to the number of *people* per unit.



Although Vermont does not have a statewide occupancy code, several municipalities have enacted local occupancy ordinances, including Burlington. Call your city hall or town clerk's office to learn more.



## Receipt of Public Assistance

“Public assistance” includes any assistance provided by federal, state or local government, including medical and housing assistance.

### *Discrimination sounds like...*

“I don’t accept payments from anyone except the person who signed the lease.”

“This unit is not Section 8 approved.”

“Just professional people here. No people on welfare.”

**Landlords must allow rent payments from Section 8 and other housing assistance programs.**

Landlords may use certain screening criteria such as credit history and references, so long as the criteria is applied to all applicants for legitimate business purposes and not used as a pretext for discrimination.



## Disability

A person is considered to have a disability if one or more of the following criteria are met:

- Having a *physical* or *mental* impairment that substantially limits one or more major life functions
- A record of having such an impairment
- Someone who is considered by others to have such an impairment

### *Discrimination sounds like...*

“I don’t want changes like a ramp or a grab bar here.”

“All service and support animals must have special training.”

“We can’t have people with developmental disabilities living here. The neighbors will be uncomfortable.”



**Under fair housing laws, a person with a disability may request a reasonable accommodation or modification.**

## Reasonable Accommodations

***A reasonable accommodation (RA) is a request for a change in building rules or policies. A person with a disability may request a RA for a service animal if there is a “no pets” policy, or a disabled parking space due to limited mobility.***



## Reasonable Modifications

***A reasonable modification (RM) is a structural change made to existing premises, occupied or to be occupied by a person with a disability, in order to afford such person full enjoyment of the premises. Reasonable modifications can include structural changes to interiors and exteriors of dwellings and common and public use areas, such as grab bars or ramps.***



## **Unfair Lending Practices**

**If based on a protected category, it is unlawful for a lender to:**

- **Refuse to make a mortgage loan**
- **Refuse to provide information regarding loans**
- **Impose different terms of conditions on a loan, such as different interest rates, points or fees**
- **Discriminate in appraising property**





## **Predatory Lending**

*(not all predatory lending is discriminatory under fair housing law, but there is overlap—the distinction being whether the action was taken because someone is a member of a protected category)*

- **Aggressive and deceptive marketing**
- **Inappropriately steering borrowers to the sub prime market**
- **Making loans without full consideration of the borrower's ability to pay**
- **Financing excessive fees into loans**
- **Charging higher interest rates based on race, national origin, etc. and not on borrowers credit history**
- **Pressuring a sale of home improvements and then financing them at high interest rates**

## Unfair Real Estate Practices

If based on a protected category, it is unlawful for a real estate agent to:

- Show different properties than ones shown to other potential buyers
- Not show certain properties
- Steer towards specific locations or neighborhoods
- Limit the neighborhoods to consider
- Spend much less time with the homebuyer
- Require different documentation



# Fair housing is your right!

*Report discrimination:*

## **Vermont Human Rights Commission**

(802) 828-1625 • 1-800-416-2010

1-877-294-9200 (TDD)



[hrc.vermont.gov](http://hrc.vermont.gov)

## **Vermont Law Help / Legal Services Vermont**

1-800-889-2047



[vtlawhelp.org](http://vtlawhelp.org)

*Tenant rights and referrals:*

## **Vermont Tenants Hotline**

(802) 864-0099 • 1-800-287-7971



[vttenants.org](http://vttenants.org)

*Learn more about your rights, access resources,  
and schedule trainings and speakers:*

## **Fair Housing Project of CVOEO**

(802) 660-3456 x 106 • [fhp@cvoeo.org](mailto:fhp@cvoeo.org)



[cvoeo.org/fhp](http://cvoeo.org/fhp)

PDFs of this handbook are available in multiple languages at [www.cvoeo.org/FHP-Resources](http://www.cvoeo.org/FHP-Resources)

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*The Fair Housing Project of CVOEO has worked to end housing discrimination in Vermont through fair housing education and outreach since 1995.*

*Learn more about your rights, access resources, and join the Thriving Communities campaign at:*



[thrivingcommunitiesvt.org](http://thrivingcommunitiesvt.org)



[thrivingcommunitiesvt](https://www.facebook.com/thrivingcommunitiesvt)



[VTFairHousing | ThrivingVermont](https://twitter.com/VTFairHousing)

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CVOEO Fair Housing Project  
255 South Champlain St.  
Burlington, VT 05401



[cvoeo.org/fhp](http://cvoeo.org/fhp)

(802) 660-3456 x 106 • [fhp@cvoeo.org](mailto:fhp@cvoeo.org)



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