



LAES has developed a series of immigrant issue instructional modules entitled "Tierra de Oportunidad" for orientation to our complex society.

LAES - Landlords and Tenants

Tierra de Oportunidad - Module 10

HUD Fair Housing--It's Your Right

If You Think Your Rights Have Been Violated

HUD is ready to help with any problem of housing discrimination. If you think your rights have been violated, you may fill out a Housing Discrimination Complaint form (which will be available for downloading soon!), write HUD a letter, or telephone the HUD Hotline. You have one year after an alleged violation to file a complaint with HUD, but you should file it as soon as possible.

What to Tell HUD:

- Your name and address;
- The name and address of the person your complaint is against (the respondent);
- The address or other identification of the housing involved;
- A short description of the alleged violation, the event that caused you to believe your rights were violated;
- The date(s) of the alleged violation.

Where to Write:

Send the Housing Discrimination Complaint Form or a letter to the HUD office nearest you or to:

Office of Fair Housing and Equal Opportunity
U. S. Department of Housing and Urban Development, Room 5204
Washington, D.C. 20410-2000

Where to Call:

If you wish, you may use the toll-free Hotline number: 1-800-669-9777.
(In Washington, D.C. call 708-0836.)

If You Are Disabled,

HUD also provides:

- A toll-free TDD phone for the hearing impaired: 1-800-927-9275
(In Washington, D.C., call 708-0836)
- Interpreters;
- Tapes and Braille materials;
- Assistance in reading and completing forms.

What Happens When You File A Complaint?

HUD will notify you when it receives your complaint. Normally, HUD will also:

- Notify the alleged violator of your complaint and permit that person to submit an answer;
- Investigate your complaint and determine whether there is reasonable cause to believe the Fair Housing Act has been violated;
- Notify you, if it cannot complete an investigation within 100 days of receiving your complaint.

Conciliation

HUD will try to reach an agreement with the person your complaint is against (the respondent). A conciliation agreement must protect both you and the public interest. If an agreement is signed, HUD will take no further action on your complaint. However, if HUD has reasonable cause to believe that a conciliation agreement is breached, HUD will recommend that the Attorney General file suit.

Complaint Referrals

If HUD has determined that your State or local agency has the same fair housing powers as HUD, HUD will refer your complaint to that agency for investigation and notify you of the referral. That agency must begin work on your complaint within 30 days or HUD may take it back.

What If You Need Help Quickly?

If you need immediate help to stop a serious problem that is being caused by a Fair Housing Act violation, HUD may be able to assist you as soon as you file a complaint. HUD may authorize the Attorney General to go to court to seek temporary or preliminary relief, pending the outcome of your complaint, if:

- Irreparable harm is likely to occur without HUD's intervention;
- There is substantial evidence that a violation of the Fair Housing Act occurred.

Example: A builder agrees to sell a house but, after learning the buyer is Black, fails to keep the agreement. The buyer files a complaint with HUD. HUD may authorize the Attorney General to go to court to prevent a sale to any other buyer until HUD investigates the complaint.

What Happens After A Complaint Investigation?

If, after investigating your complaint, HUD finds reasonable cause to believe that discrimination occurred, it will inform you. Your case will be heard in an administrative hearing within 120 days, unless you or the respondent want the case to be heard in Federal district court. Either way, there is no cost to you.

The Administrative Hearing

If your case goes to an administrative hearing, HUD attorneys will litigate the case on your behalf. You may intervene in the case and be represented by your own attorney, if you wish. An Administrative Law Judge (ALJ) will consider evidence from you and the respondent. If the ALJ decides that discrimination occurred, the respondent can be ordered to:

- compensate you for actual damages, including humiliation, pain and suffering;
- provide injunctive or other equitable relief, for example, to make the housing available to you;
- pay the Federal Government a civil penalty to vindicate the public interest. The maximum penalties are \$10,000 for a first violation and \$50,000 for a third violation within seven years;
- pay reasonable attorney's fees and costs.

Federal District Court

If you or the respondent choose to have your case decided in Federal District Court, the Attorney General will file a suit and litigate it on your behalf. Like the ALJ, the District Court can order relief, and award actual damages, attorney's fees and costs. In addition, the court can award punitive damages.

In Addition

You May File Suit: You may file suit, at your expense, in Federal District Court or State Court within two years of an alleged violation. If you cannot afford an attorney, the Court may appoint one for you. You may bring suit even after filing a complaint, if you have not signed a conciliation agreement and an Administrative Law Judge has not started a hearing. A court may award actual and punitive damages and attorney's fees and costs.

For Further Information contact the HUD office:
Office of Fair Housing and Equal Opportunity Room 5116
Department of Housing and Urban Development
451 Seventh Street, S. W.
Washington, D.C. 20410-2000
(202) 708-2878

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