

Your Fair Lending Advocate!

Money Matters!

A Publication of the Delaware Community Reinvestment Action Council, Inc.

Fair Housing
It's not an option. It's the law.



Your Fair Lending Advocate in Delaware!

We are all about fair and equitable access to mainstream financial services
Our handbooks are also available on www.dcrac.org/Money_Matters!.htm

Channel 28

- New Castle
- 3 to 4 pm
- 1st Sunday

Channel 64

- Kent
- 8 to 9 pm
- 3rd Wednesday

Channel 24

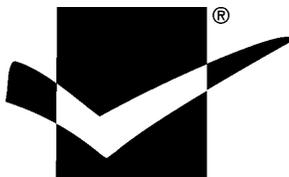
- Sussex
- 7 to 8 pm
- 2nd Tuesday

Delaware CRA Council, Inc.

601 N. Church St.,
Wilmington
DE 19801

1-877-825-0750 or
302-654-5024

www.dcrac.org



STANDARDS FOR EXCELLENCE

Radio

- 107.9 fm in Millsboro, DE
- www.wrbg1079fm.com

Radio

- Saturdays 10 am to noon

Radio

- ¡Fuerza Financiera! Last Wednesday 4 to 5 pm
- TV on Radio last Wednesday 5 to 6 pm

DCRAC | Founded in 1987

Designed by Christopher Mears for DCRAC, Inc.

OUR MISSION: To ensure equal access to credit and capital for the under-served populations and communities throughout Delaware through Education, Outreach, Advocacy, and Legislation.

“It shall be unlawful for any person or other entity whose business includes engaging in residential real-estate transactions to discriminate against any other person in making available such a transaction, or in the terms or conditions of such a transaction because of race, color, religion, sex, handicap, familial status, or national origin.”

- * Those in the business of renting or selling property for residential purposes must abide by the Fair Housing Act (FHA).
- * Discrimination is prohibited on the basis of race, color, religion, sex (gender), handicap, familial status (children), or national origin.
- * Action or inaction should not limit the housing choices for the protected classes.
- * There should be no different terms and conditions for housing for the protected classes.

- * Either the consumer files a complaint with the Secretary.
- * Or, the Secretary investigates housing practices on his/her own and brings an action.
- * The Secretary investigates discrimination, engages in conciliation, and if necessary issues a charge on behalf of the aggrieved person.
- * The Secretary may authorize a civil action for temporary or preliminary relief pending a final disposition of the complaint.
- * When a charge is filed, if no party elects a civil action the case may be decided in an Administrative Hearing and the Secretary petitions for a court enforcement.
- * In Delaware, complaints are referred to Human Relations Commission (See page 4).

Maximum penalty for violating FHA is \$100,000.

Discrimination is an injury to a person’s dignity.

DELAWARE’S FAIR HOUSING ACT

“...intended to eliminate, as to housing offered to the public for sale, rent, or exchange, discrimination based upon race, color, national origin, religion, **creed**, sex, marital status, **familial status**, **age** or handicap, and to provide an administrative procedure through which disputes concerning the same may effectively and expeditiously be resolved with fairness and due process for all parties concerned.”

- * All authority is vested in the State Human Relations Commission.
- * The code does not require the Human Relations Commission to refer complaints to local public agencies when the complaint is taken from their jurisdiction.
- * Penalties are the same as under federal law.

FAIR HOUSING, CITY OF WILMINGTON CODE

“... intended to eliminate, as to housing offered to the public for sale or rent, discrimination based upon race, age, marital status, creed, color, sex, **sexual orientation**, handicap, national origin or **economic status** as a welfare recipient, person dependent on fixed income or as a parent with a minor child or minor children.”

- * The city has designated Housing Opportunities of Northern DE, Inc., as its advisor on the issue of fair and equal housing.
- * Complaints are filed with the city minority affairs commission for review and investigation.
- * Any Person found guilty of an unlawful practice shall be fined not more than \$2,500.00 or imprisoned for not more than one year, or both.

**“I think there's just one kind of folks. Folks.”
Harper Lee, To Kill a Mockingbird**

Your written complaint must include the following:

1. Your name and address.
2. The name and address of the person your complaint is about.
3. The address of the house or apartment you were trying to rent or buy.
4. The date when this incident occurred.
5. A short description of what happened.

SEND COMPLAINTS TO

**DELAWARE HUMAN RELATIONS
COMMISSION**
820 N. FRENCH STREET
WILMINGTON, DE 19801

BY TELEPHONE
1-877-54-HUMAN

ON LINE
www.state.de.us/sos/hr/
online-housingform.shtml

**DELAWARE COMMUNITY REINVESTMENT
ACTION COUNCIL (DCRAC)**
302-654-5024
877-825-0750

DELAWARE HOUSING COALITION (DHC)
302-678-2286

**HOUSING OPPORTUNITIES OF NORTHER
DELAWARE (HOND)**
302-429-0794

Protected Classes for Delaware

- Race or color
- National origin
- Religion
- Sex
- Familial status.
- Handicap (Disability)
- Age
- Marital Status
- Creed

**U.S. DEPARTMENT OF HOUSING AND
URBAN DEVELOPMENT**
ROOM 5204
451 7TH STREET, S.W., WASHINGTON,
DC 20410
TELEPHONE: (202) 708-1112
TTY: (202) 708-1455
www.hud.gov
1-800-669-9777

Landlord sets aside basement units and special build-
ings for families with younger children.

Lawful Unlawful Don't know

Applicant does not have the best housekeeping
habits; owner does not rent to such a person.

Lawful Unlawful Don't know

Applicant uses a wheelchair, agrees to put (and
removed when he/she leaves) a wooden ramp at
his/her own expense. The owner does not want
ramp constructed.

Lawful Unlawful Don't know

Housing Ad says, "Christians preferred."

Lawful Unlawful Don't know

A black mortgage applicant is declined because she
has no steady job nor enough income.

Lawful Unlawful Don't know

Sellers are white, and have only white neighbors.

Fearing neighbor reaction they tell realtor that they
will sell their house only to a white buyer.

Lawful Unlawful Don't know

A white home buyer engages a realtor. Assuming the
family would only want to buy in areas where white
people live, the agent decides to show them houses
in all-white neighborhoods only.

Lawful Unlawful Don't know

A Hispanic mortgage applicant is asked to make a
higher down payment than would be required of
other borrowers before agreeing to give the
mortgage.

Lawful Unlawful Don't know

**"A racially integrated community is a chronological term timed from
the entrance of the first black family to the exit of the last white family."
Saul Alinsky, the father of community organizing.**

Complaints

877-54-HUMAN or 877-544-8626

Carvel State Office Building, 820 North French Street, 4th Floor, Wilmington, Delaware 19801
Phone: 302-577-5050, Fax: 302-577-3486

Williams State Service Center, 805 River Road, 3rd Floor, Dover, Delaware 19901
Phone: 302-739-4567, Fax: 302-739-3354

Georgetown State Service Center, 546 S. Bedford Street, 2nd Floor, Georgetown, Delaware 19947
Phone: 302-856-5331, Fax: 302-856-5146

- * File within one (1) year from the date of the alleged incident or from the discovery of the alleged incident.
- * There may be a fact-finding Conference.
- * If no resolution is reached, the case is referred to the Commission for an administrative hearing.
- * The Commission will render a written decision, which will be mailed to all parties.
- * Meanwhile, Human Relations conducts investigation.

- * A representative works with both parties to find out exactly what happened.
- * A written report is issued.
 - * **If there is a cause finding,** conciliation is attempted. If successful, case is closed.
 - * **If there is a cause finding,** conciliation attempt failed, A charge is issued. Case is heard by Commission or in Superior Court. Final order is rendered.
 - * **If there is a no cause finding,** The case is dismissed.

You may appeal any Commission Order, including the Dismissal Order, to Superior Court.

To file a complaint on line:

www.state.de.us/sos/hr/online-housingform.shtml

The Fair Housing Act prohibits discrimination because of:

- Race or color.
- National origin.
- Religion.
- Sex.
- Familial status (including children under the age of 18 living with parents or legal custodians; pregnant women and people securing custody of under 18).
- Handicap (Disability).

What Housing Is Covered?

The Fair Housing Act covers most housing, including sale or rental. In some circumstances, the Act exempts owner-occupied buildings with no more than four units, single-family housing sold or rented without the use of a broker, and housing operated by organizations and private clubs that limit occupancy to members.

What Is Prohibited?

- Refuse to rent, sell, or negotiate.
- Make housing unavailable.
- Set different conditions/privileges.
- Provide different services/facilities.
- Make housing unavailable for inspection, sale, or rental.
- For profit, persuade owners to sell or rent (blockbusting).

Also prohibited:

- * Threaten, coerce, intimidate, or interfere with anyone exercising a fair housing right.
- * Advertise/indicate a preference based on protected class(es).
- * Applies to single-family and owner-occupied housing that is otherwise exempt from the Act.

In Mortgage Lending, it is prohibited to:

- * Refuse to make a mortgage loan or to provide information about them.
- * Impose different terms or conditions on a loan, such as different interest rates, points, or fees.
- * Discriminate in appraising property.
- * Refuse to purchase a loan.
- * Set different terms or conditions for purchasing a loan.

**“I have a dream that my four little children will one day live in a nation where they will not be judged by the color of their skin but by the content of their character.”
Martin Luther King, Jr.**