
FAIR HOUSING LAWS

Under the Civil Rights Act of 1968, discrimination in a real estate transaction on the basis of race, color, religion or creed, sex, or national origin is illegal. Under the Fair Housing Amendments Act of 1988, effective March 13, 1989, discrimination on the basis of physical or mental handicap or familial status (families with children) is now also illegal.

The only exception to the prohibition against discrimination based on familial status is "housing for older persons." There are two ways that property can qualify as housing for older persons. First, property qualifies if it is intended for, and solely occupied by, persons 62 years of age and older. Alternatively, property qualifies if it is intended and operated for occupancy by at least one person 55 years of age or older per unit, and (a) such housing provides significant facilities and services specifically designed to meet the physical and social needs of older persons; (b) has at least 80 percent of its units occupied by at least one person 55 years of age or older; *and* (c) publishes and adheres to policies and procedures that demonstrate an intent to provide housing for people 55 years of age or older.

Thus, owners and agents of former "adults only" apartments, condominiums, or subdivisions that do not meet either of the requirements for housing for older persons may no longer discriminate against families with children. However, the law does not prohibit landlords (or local municipalities) from imposing reasonable restrictions on the number of occupants in a unit.

Washington State law further prohibits discrimination in a real estate transaction on the basis of marital status or the use of a trained guide dog or service dog by a blind, deaf, or physically disabled person. Some local ordinances even further prohibit discrimination on the basis of age, sexual orientation, ancestry, or political ideology.

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