



Technical Assistance Resource: Fair Housing and Equal Access

CoC Program Interim Rule

There are 5 requirements covered under the topic of Fair Housing and Equal Opportunity in the [CoC Program Interim Rule \(578.93\)](#). The following is a summary of this section of the interim rule. This summary does not provide comprehensive guidance and is intended to help quickly guide you to other laws or parts of the rule which you may need to fully review.

Requirement **(a)** establishes that recipients must follow federal nondiscrimination and equal opportunity requirements set forth in [24 CFR 5.105\(a\)](#). 24 CFR 5.105(a) specifies that housing shall be made available without regard to actual or perceived sexual orientation, gender identity, or marital status and that the following acts are applicable: Fair Housing Act of 1968, Title VI of the Civil Rights Act of 1964, Sec. 504 of the Rehabilitation Act of 1973, Sec. 109 Title I of the Housing & Community Development Act of 1974, Title II of the Americans with Disabilities Act of 1990, Architectural Barriers Act of 1968, Age Discrimination Act of 1975, and the Title IX of the Education Amendments Act of 1972.

Requirement **(b)** sets forth the rules around specifically serving specific subpopulations.

Requirement **(c)** states that recipients must implement programs in a manner that affirmatively furthers fair housing. This includes using affirmative marketing practices, following notification protocols when conditions or actions that impede fair housing choice are encountered, and providing program participants with information on rights and remedies available under applicable federal, state, and local fair housing and civil rights laws.

Requirement **(d)** specifies laws that programs are to comply with related to accessibility and integrative housing and services for persons with disabilities.

Requirement **(e)** sets forth a prohibition against involuntary family separation.

HUD Resources

As stated above, recipients must provide program participants with information on rights and remedies available under applicable federal, state, and local fair housing and civil rights laws. The following HUD resources provide information that may be used to train staff and/or provide information to program participants.

- [Fair Housing Act Overview](#) : Key information includes who is protected, types of housing that are covered, and what is prohibited.
- [Filing a Complaint](#) : Access to online form, email form, and phone number for FHEO intake specialist.
- [Flyer – “Are you a victim of housing discrimination?”](#) : Printable form and information about rights.



- [Notice on Equal Access Regardless of Sexual Orientation, Gender Identity or Marital Status](#): One-pager covering requirements and how to contact the local HUD office regarding violations.

Local Resources:

The following local resources provide additional information that may be used to train staff and/or provide information to program participants. This is not an exhaustive list.

- [Chicago Area Fair Housing Alliance – Fair Housing Laws](#) : Overview and links to the federal, state and local laws.
- [Chicago Area Fair Housing Alliance – Cook County Ordinance Fact Sheet](#) : Key information includes protections and prohibitions under the local ordinance
- [Chicago Area Fair Housing Alliance – Rights and Responsibilities Training for Social Service Providers](#): Key information includes definition of fair housing, fair housing protected classes and deadlines, list of illegal practices, how to file a complaint, and a **list of local fair housing enforcement agencies**.

Recommendation:

All Chicago’s recommendation is that at minimum, agencies should provide participants with the following informational resources:

- [Flyer – “Are you a victim of housing discrimination?”](#) : Printable form and information about rights.
- [Notice on Equal Access Regardless of Sexual Orientation, Gender Identity or Marital Status](#): One-pager covering requirements and how to contact the local HUD office regarding violations.

This guidance may be updated as additional resources are provided by HUD or HUD TA Providers.