



The federal Fair Housing Act prohibits housing discrimination based on race, color, national origin, religion, sex, disability, and familial status (i.e., presence of children in the household). The Fair Housing Act does not specifically include sexual orientation and gender identity as prohibited bases. However, a lesbian, gay, bisexual, or transgender (LGBT) person's experience with sexual orientation or gender identity housing discrimination may still be covered by the Fair Housing Act. In addition, housing providers that receive HUD funding, have loans insured by the Federal Housing Administration (FHA), as well as lenders insured by FHA, may be subject to **HUD program regulations intended to ensure equal access of LGBT persons.**

Examples:

- A gay man is evicted because his landlord believes he will infect other tenants with HIV/AIDS. That situation may constitute illegal disability discrimination under the Fair Housing Act because the man is perceived to have a disability, HIV/AIDS.
- A property manager refuses to rent an apartment to a prospective tenant who is transgender. If the housing denial is because of the prospective tenant's non-conformity with gender stereotypes, it may constitute illegal discrimination on the basis of sex under the Fair Housing Act.
- An underwriter for an FHA insured loan is reviewing an application where two male incomes are being used as the basis for the applicants' credit worthiness. The underwriter assumes the applicants are a gay couple and, as a result, denies the application despite the applicants' glowing credentials. This scenario may violate HUD regulations which prohibit FHA-insured lenders from taking actual or

perceived sexual orientation into consideration in determining adequacy of an applicant's income.

If you believe you have experienced (or are about to experience) housing discrimination, you should contact HUD's Office of Fair Housing and Equal Opportunity for help at (800) 669-9777. You may also [file a housing discrimination complaint online](#). HUD will thoroughly review your allegation to determine if the claims you raise are jurisdictional under the Fair Housing Act.

Additionally you should contact your [local HUD office](#) for assistance with alleged violations of HUD programs regulations.

NOTE: Sexual orientation and gender identity are protected classes in all fair housing jurisdictions in the state of Washington.