

FACT SHEET: FAIR HOUSING FOR STUDENTS



Fair Housing Center
of West Michigan

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What is fair housing?

Fair housing is the right to choose housing free from unlawful discrimination. Federal, state and local fair housing laws protect people from discrimination in housing transactions such as rentals, sales, lending, and insurance. Specifically, the federal Fair Housing Act and Michigan's Elliott-Larsen Civil Rights Act protect against housing discrimination based on the following "protected classes":

- Race
- Color
- Religion
- Sex
- National origin
- Familial status
- Disability
- Marital status
- Age

What rights do students have under fair housing laws?

Any student in the process of seeking housing, whether on or off campus, is protected by fair housing laws and has the right to inquire about, apply for, and obtain housing free from discrimination because of their race, age, disability, etc. Fair housing laws cover most housing, including apartment complexes, single-family homes, condominiums, dormitories, manufactured homes and others. Students with disabilities also have the right to request reasonable accommodations in order to provide equal access and enjoyment to housing opportunity. It is also important to note that in university sponsored housing certain exemptions may allow for limitations on the basis of marital status (i.e. "married housing").

Are student specials or policies stating "no students" allowed under fair housing laws?

"Students" in and of themselves do not represent a "protected class" under federal or Michigan fair housing laws; this means that a housing provider might be able to have a preference for students, like offering a "student special" or stating "students only", or, on the contrary, in very limited circumstances might be able to discriminate against students (i.e. "no students". Note: We do not support policies limiting or prohibiting students as they very likely may have discriminatory results). A housing provider could only operate a policy or practice specifically for/against students, so long as it is applied equally to ALL students regardless of their age, familial status, marital status, etc. and so long as it does not result in discrimination against a certain protected class. For example, a housing provider cannot operate a policy of "no students" in an effort to discriminate against younger individuals, or if the policy primarily limits younger individuals. As another example, a housing provider who operates a "student special" should make the special available to all students (i.e. persons with a student ID, enrollment letter or other verification of student status) including students with children, married students and older adult students.

Why should students be aware of fair housing rights?

It is imperative for the growth, vibrancy and sustainability of our community that students understand and have access to their fair rights. When students feel welcomed in the community, they make themselves at home, invest their resources back into the community, and in turn make it an appealing place for diverse and talented people to come. It is also very important to be aware of fair housing rights to identify and report real or potential fair housing violations in order to ensure that such practices can be addressed.

SIGNS OF POSSIBLE DISCRIMINATION AGAINST STUDENTS

- Refusing to rent or sell because of a student's age
- Charging extra fees or higher rent to students with children
- Imposing or enforcing rules more strictly against students
- Telling a student that the neighborhood is not "right" for them