

BRIEF REVIEW OF THE CIVIL RIGHTS AND THE IMPACT ON REAL ESTATE TRANSACTIONS

CIVIL RIGHTS ACTS	PURPOSE	IMPACT ON	EXEMPTED FROM THE LAW
1866 Civil Rights Act & the 13 th Amendment	Made racial discrimination unlawful and granted property rights to freed slaves as U.S. Citizens	Real Estate owning/leasing/selling	No exemptions
1964 Civil Rights Act	Labor law in the United States that outlawed discrimination based on race, color, religion, sex, national origin (later expanded to include age (employment and credit only) familial status, and handicap.	All government and private employers, Corporations, Businesses	No exemptions
1968 Fair Housing Act Title VIII (extension of 1964 Civil Rights Act)	FHAct Prohibits discrimination concerning the sale, rental, and financing of housing based on race, religion, national origin, sex. Later amended to include familial status and handicap.	All real estate transactions of Government (Public), Sellers, Landlords and licensed Real Estate Brokerages/Agents, Lenders, Insurance Companies & Agents; Home Owners Associations and Deed Restrictions	<p style="text-align: center;">EXEMPTIONS</p> <ul style="list-style-type: none"> • Owner of 3 or fewer rental properties: private individual owner does not own more than three such single-family houses at any one time. • Owner-occupied housing: Multifamily housing of two to four units, where one of the units is owner-occupied, is exempt from fair housing laws. • Private clubs: An organization that restricts its membership may provide restricted housing to its members, as long as it doesn't offer housing to the general public. • Religious organizations: Housing sponsored by a religious organization may be restricted to members of that particular religious organization, provided the religion doesn't discriminate in its membership policies. • Single-family housing: The sale or rental of a single-family house is exempted from the rules of the Fair Housing Act if the owner doesn't own more than three units at one time, and neither a broker nor discriminatory advertising is used. If such a property is sold, no more than one house can be sold during every two-year period. • Age: An exemption is provided to housing protections afforded to age and familial classes intended for older people. Housing may be restricted to people 62 or older or 55 or older in cases where at least one occupant per unit is 55 and at least 80 percent of the units are occupied by people ages 55 or older. In these cases children may be excluded.
1974 Equal Credit Opportunity Act	ECOA is a federal civil rights law that protects you from being discriminated against by lenders, based on any of the following:	Lenders	Age: those that are not age of majority (adult), underage cannot make a claim of discrimination.

	Race, Color, Religion, National origin, Sex, Marital status, Age (as long as the applicant is old enough to enter into a contract), Receiving money from any public assistance program, Exercising your rights under certain consumer protection laws		
1988 Amendment to Fair Housing Act 1968-Familial Status 1988 Amendment Americans with Disabilities	Prohibits discrimination in housing against families with children under the age of 18. Prohibits discrimination on the basis of disability in all types of housing transactions	Housing Providers Government offices, representatives and employees; Sellers, Landlords, Real Estate Brokerages/Agents, lenders and insurance providers SAME AS ABOVE PLUS HOA's,	While age is not a 'protected' class in housing, there are developments that restrict ownership and occupancy by age such as, 62 years of age as a minimum or the 55 years of age for 80% of homeownership with no one under 40 living in the household.
PROTECTED CLASSES IDENTIFIED FOR HOUSING RACE, COLOR, RELIGION, NATIONAL ORIGIN, SEX, FAMILIAL STATUS, HANDICAP			

[\[USC02\] 42 USC Ch. 45: FAIR HOUSING \(house.gov\)](#)