

Massachusetts Muslims, Know Your Rights!

Fair Housing Laws

- *A landlord refuses to rent to you because you are Muslim.*
- *A realtor will only show you homes for sale in certain neighborhoods or towns.*
- *A neighbor threatens you or tells you to “go back where you came from.”*

These are all examples of housing discrimination, which is illegal under fair housing laws.¹ You have the right to live where you choose. It is illegal to discriminate on the basis of religion, race, color, or national origin.²

Finding housing. Fair housing laws protect you from discrimination when you are looking for a place to live, including renting an apartment, buying a house or condominium, or even when buying land to build a house. Fair housing laws apply to landlords, rental agencies, home sellers, realtors, mortgage lenders, and advertisements for housing. These actions are against the law if based on your religion, race, color, or national origin:

- A landlord refuses to rent to you;
- During the application process, you are required to pay higher fees or deposits, or provide more personal information than other applicants;
- You are turned down for a mortgage or charged higher fees than other applicants.

After you move in. You have the right to be treated the same as everyone else. These actions are against the law if based on your religion, race, color or national origin:

- Your landlord won’t make repairs that are needed;
- You aren’t allowed to use the services at your apartment or condominium complex that should be available to everyone, such as a laundry room, gym, or pool;
- The landlord, management company, or other staff make offensive comments, use religious or racial slurs, or are always rude to you.

Immigration status. It is not illegal to discriminate on the basis of your immigration status. However, if the landlord only asks certain people about their immigration status based on their race, name, or how they dress, then that is illegal discrimination. It is also against the law for a landlord to threaten to call ICE if a tenant complains.

¹ It also illegal to discriminate on the basis of religion, race, color, or national original in the sale or rental of commercial real estate, including space for a business, masjid or Islamic center, or land where a masjid or Islamic center will be built. If that happens to you, call CAIR-MA.

² In Massachusetts, you are also protected from housing discrimination based on gender, marital status, children, disability, rental subsidy, age (except for senior housing), sexual orientation, gender identity, or because you are a veteran or member of the military.

Retaliation. It is illegal for a landlord or seller to retaliate – get back at you – if you file a discrimination complaint. This is true even if you don’t win your case. Making the complaint is still protected by law.

Harassment by neighbors. Fair housing laws also apply to anyone who tries to prevent you from living where you choose or, after you move in, harasses or threatens you or damages your property. Fair housing laws can be very useful when the harassment isn’t serious enough for the police to get involved OR as an additional tool if a crime has been committed.

- Other tenants – If another tenant in your building or apartment complex is causing problems because they don’t like your religion, race, color, or national origin, be sure to tell the landlord. You may be able to take legal action against the other tenant and, if the landlord won’t help, against the landlord as well.
- Neighbors – If the person causing trouble is a neighbor, or if some other person doesn’t want you to live where you do, you may be able to take legal action against them and get a court order telling them to stop.

Taking legal action. In Massachusetts, you can file a housing discrimination complaint with the Mass. Commission Against Discrimination (MCAD) or the U.S. Dept. of Housing and Urban Development (HUD). MCAD complaints must be filed within 300 days of the most recent act of discrimination, while you have one year to file with HUD.

IMPORTANT: Please call CAIR-MA or another lawyer before filing a complaint at MCAD or HUD. A lawyer can tell you what information is needed to make a strong case, and may be able to represent you.

In Massachusetts, you can also go directly to court to file a lawsuit: in state court, within one year of the most recent act of discrimination; in federal court, within two years. Talk to a lawyer to decide which approach is best for you.

Based on the facts of your case, you can ask MCAD, HUD, or a court to make the other person or company:

- Rent the apartment to you or sell the house to you, if it is still available;
- Stop harassing you;
- Pay you money (called “damages”);
- Train their employees about fair housing laws – so that no one else gets treated like you were treated.

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