

PROTECTED CLASSES AND EXEMPTIONS UNDER FAIR HOUSING STATUTES

Federal Fair Housing Act of 1968, as amended in 1988, 42 U.S.C. §3601 et seq.; HUD regs: 24 CFR Part 100

Protected Classes:

- ▶ race/color
- ▶ national origin
- ▶ sex
- ▶ religion
- ▶ physical or mental disability (does not include current illegal drug abusers)
- ▶ familial status (families with children and persons who are pregnant or securing legal custody of a child)

Federal Reconstruction Era Statutes, 42 U.S.C. §§1982 and 1981 (Also enforceable in CHRO via C.G.S. §46a-58(a))

Protected Classes:

- ▶ race
- ▶ any group that in 1866 was perceived as not part of the "Caucasian race" (e.g., Hispanics, Jews, Arabs, etc.)
- ▶ §1982 protects only U.S. citizens; §1981 protects "persons within" the U.S.

Connecticut Fair Housing Act, C.G.S. §46a-64c and -81e

Protected Classes:

- ▶ race/color
- ▶ national origin/ancestry
- ▶ sex
- ▶ creed
- ▶ physical, mental or learning disability
- ▶ familial status (families with children and persons who are pregnant or securing legal custody of a child)
- ▶ marital status
- ▶ age
- ▶ lawful source of income
- ▶ sexual orientation

Federal Fair Housing Act of 1968, as amended in 1988, 42 U.S.C. §3601 et seq.; HUD regs: 24 CFR Part 100

Exemptions:

- ▶ single-family house that is sold or rented by owner, if owner does not own more than 3 such houses and house is sold or rented without use of a broker or agent, and without any discriminatory advertisement
- ▶ units in an owner-occupied building containing no more than 4 units
- ▶ The above exemptions do not apply to claims under 42 U.S.C. §3604(c) (discriminatory statements or advertisements made in connection with the sale or rental of a dwelling) or 42 U.S.C. §3617 (interference, coercion or intimidation)
- ▶ certain housing for older persons (exempt from familial status provisions)
- ▶ [others of less importance]

Federal Reconstruction Era Statutes, 42 U.S.C. §§1982 and 1981 (Also enforceable in CHRO via C.G.S. §46a-58(a))

Exemptions:

- ▶ None

Connecticut Fair Housing Act, C.G.S. §46a-64c and -81e

Exemptions:

- ▶ unit in an owner-occupied building containing no more than 2 units (4 units in cases of familial status and sexual orientation discrimination)
- ▶ rental of a room or rooms in a unit in which owner lives
- ▶ certain housing for older persons -- same criteria as Fair Housing Act (exempt from familial status provisions)
- ▶ [others of less importance]