

Housing Discrimination

Tenants' Rights in Massachusetts

Is It Discrimination

Housing discrimination takes many forms:

- A real estate agent shows you apartments in one neighborhood and not another because of your race.
- A landlord refuses to rent to you because you have a Section 8 voucher.
- A landlord makes an inappropriate comment about your gender, ethnicity, religion or disability.
- You have young children and a landlord tells you she cannot rent to you because the apartment has lead paint.

Protect Yourself When Looking for an Apartment

- Do not ask if a landlord takes Section 8 or allows children. Assume the landlord will follow the law.
- Ask to see all available apartments – even if the landlord says an apartment is too small or has lead paint.
- If the landlord will not rent to you, ask for a specific reason.

Who Is Protected

Laws that protect against discrimination are called *fair housing laws*.

Fair housing laws protect you if a landlord, her employee, or a real estate broker discriminates against you **because of your:**

- Race
- Color
- National Origin or Ancestry
- Gender
- Sexual Orientation
- Gender Identity
- Religion
- Age – as long as you are 18 or over

Or because you:

- Are pregnant or have a child
- Get welfare, SSI or other benefits
- Have a Section 8 or housing subsidy
- Are married or not married
- Are or were in the military
- Have a physical or mental disability

Is the Property Covered

No landlord of any size building can discriminate based on race, receipt of public assistance, or receipt of a housing subsidy. But for other types of discrimination:

- State fair housing laws do not cover buildings with only 2 apartments if the landlord lives there.
- Federal fair housing laws do not cover buildings with 4 apartments or less if the landlord lives there.



Act Quickly!

1. **Write down the facts.**
Your notes may be your best evidence.
Write everything down as soon as you can!
2. **“Test” the landlord.**
Ask a testing agency to help you find out if a landlord is discriminating. Contact one of these agencies the **same day** you have the problem.

If you cannot get help from an agency, do your own test. For example, if you feel the landlord discriminated against you because you have a child, ask someone without a child to look at the same apartment. Then make detailed notes about what happens.
3. **Get help from a lawyer.**
A lawyer can advise you and help you file a complaint.
4. **File a complaint.**
See MassLegalHelp.org/Discrimination for how to file a complaint.

Testing Agencies

Fair Housing Center of Greater Boston
617-427-9740
Essex, Middlesex, Norfolk, Plymouth, and Suffolk Counties

Massachusetts Fair Housing Center
800-675-7309
Berkshire, Franklin, Hampden, and Hampshire Counties

Community Legal Aid
800-649-3718
Worcester County

Your Notes

Date and time of the discrimination.

Name and title of the person who discriminated against you.

What you said

Everything the other person said



MassLegalHelp.org/Discrimination
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