



Get the facts!

Fair Housing and Older Adults

A recent Census Bureau report confirms what we already know—that Americans are living longer, healthier lives. As of April 1, 2010, there were 40.3 million people age 65 and older, which is a 5.3% increase over the 30 million people counted in the 2000 census. Older adults need to know their fair housing rights so they can live where they choose.

The Federal Fair Housing Act prohibits discrimination on the basis of disability, race, color, national origin, religion, sex, or familial status. In addition, Illinois protects individuals from housing discrimination on the basis of age, marital status, sexual orientation, order of protection status, ancestry, or military discharge status. Cook County adds source of income and housing status as protected classes.

Who must follow fair housing laws?

Everyone who provides housing or related services must obey these laws. They apply to houses for rent or sale, condominiums, cooperatives, or apartments for rent or sale, assisted living facilities, continuing care facilities, retirement communities, nursing homes, mobile home communities, time shares, property owners, landlords, housing managers, condo associations, homeowners' associations, real estate agents, housing brokers, lenders, newspapers, advertisers, insurance companies, and appraisers.

What does housing discrimination look like for older adults?

Older adults may face housing discrimination based on disability.

Questions and comments like these about your **independence and abilities** may be discriminatory:

- “Are you capable of living independently?”



- “I cannot allow you to rent that unit; I am afraid of future liability if you get hurt.”
- “You can only live here if there is someone to take care of you.”
- “Why do you receive social security benefits?”
- “I’ll need to review your medical records.”

Statements intended to **steer** older adults toward particular types of housing may be discriminatory:

- “Residents with walkers live on the 1st floor.”
- “Our active seniors live in these units.”
- “Residents in wheelchairs use the 2nd floor dining room.”
- “We do not allow people to live in these units with 24-hour personal care attendants.”
- “Perfect opportunity for active individuals”

Different treatment regarding rent, security deposits or insurance payments may be discriminatory:

- “You have to pay extra for your live-in health aid.”
- “You can only use the service elevator with your wheelchair.”
- “People who use wheelchairs cause damage; you’ll have to leave a double security deposit.”

Fair housing laws also protect older adults when it comes to financing their homes. Banks, lenders, and insurance companies cannot set different mortgage rates, different terms, or refuse to negotiate with you because of your age or disability.

What can I do if I have been discriminated against?

If you believe you are the victim of housing discrimination, or would simply like to gain a better understanding of your fair housing rights and responsibilities, contact Open Communities at (847) 501-5760 or email info@open-communities.org. This service is free and confidential.

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