

Fair Housing Act

What you need to know

WHAT IS THE FAIR HOUSING ACT?

The Fair Housing Act is Title 8 of the Civil Rights Act of 1968 and was created to protect buyers/renters from discrimination by the seller/landlord. A seller/landlord may not take any of the following actions based on the protected classes:

- Refuse to rent or sell housing
- Make housing unavailable
- Deny a dwelling
- Set different terms, conditions or privileges for sale or rental of a dwelling
- Provide different housing services or facilities
- Falsely deny that housing is open for inspection, sale, or rental
- For profit, persuade owners to sell or rent (blockbusting)
- Deny anyone access to or membership in a facility or service (such as a multiple listing service) related to the sale or rental of housing.

WHAT ARE THE PROTECTED CLASSES

- Race
- Color
- National Origin
- Religion
- Sex
- Familial Status
- Disability



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Unified Government Health Department
Wyandotte County
Updated May 31, 2023

REQUIREMENTS FOR BUILDINGS READY FOR USE AFTER MARCH 13, 1991

In buildings that have an elevator and four or more units there must be:

- Public and common areas handy to persons with disabilities
- Doors and hallways wide enough for wheelchairs

All the units must have:

- An accessible route into and through the unit
- Handy light switches, electrical outlets, thermostats and other environmental controls
- Reinforced bathroom walls to allow later fitting of grab bars and
- Kitchens and bathrooms that can be used by people in wheelchairs

ACCOMMODATING DISABILITIES

If someone has a disability a landlord may not:

- Refuse changes to the living space at the renter's expense to accommodate a disability
- Refuse reasonable variations in rules or policies and services if needed to accommodate a disability

EXAMPLES OF ACCOMMODATIONS

An apartment complex with ample, unassigned parking spots

Landlord must honor a bid from a mobility-impaired tenant for a reserved spot near their apartment if it is needed to assure access to the unit

A building with a 'no pets' policy

Landlord must allow a visually impaired tenant to keep a guide dog

Who To Contact

If you believe that your rights have been violated under the Fair Housing Act you may contact either of the organizations listed.

Kansas Legal Services

Locally, Kansas Legal Services (KLS) can offer assistance

You can apply online at:

<https://www.kansaslegalservices.org/>

You can also call the application line at:

1-800-723-6953

HUD- Great Plains Office

You can contact HUD directly through email, phone, or a mailed letter. You can find their information below.

Address Information:

Great Plains Office -- Fair Housing Hub
U.S. Department of Housing and Urban
Development

Gateway Tower II, 400 State Avenue, Room
200, 4th Floor, Kansas City, KS 66101-2406

Telephone: (913) 551-6958 or 1-800-743-5323

Fax: (913) 551-6856

TTY: (913) 551-6972

E-mail: Complaints_office_07@hud.gov

WHAT TO INCLUDE

- Your name and address
- Name and address of the person the complaint is against
- Address or other description of the housing involved in complaint
- Short description of alleged violation (in other words the event that caused you to believe your rights were violated)
- Date of alleged violation



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Common Situations

What do I do if I am experiencing domestic violence and need to break my lease?

If a tenant needs to break a lease due to domestic violence, sexual assault, human trafficking, and/or stalking, they are not liable for any rent after the time they vacate if they notify the landlord with a statement regarding the reasons for protection.

In some cases, the landlord may request documentation or proof - a tenant may provide any of the following:

- A court order granting relief to the tenant related to the reasons for protection
- A document signed by the victim and any of the following:
 - A person licensed by the KS State Board of Healing Arts to practice medicine and surgery
 - A person licensed as a physician assistant by the KS State Board of Healing Arts
 - A person licensed by the KS Board of Nursing
 - A person licensed by the KS Behavioral Sciences Regulatory Board

The document must declare under penalty of perjury that the licensed person has the opinion, in their professional judgement within the scope of their practice, that the incident of domestic violence, sexual assault, human trafficking, and/or stalking is the basis for the protection. A landlord may charge a termination fee that is not to exceed one month's rent. This fee may only be charged if it is mentioned in the lease.*



*Kansas Statute § 58-25,137

Unified Government Health Department
Wyandotte County
Updated March 14, 2023

Common Situations

Can my landlord raise my rent?

A lease is a legally binding contract between a landlord and tenant, with an agreed upon rate (i.e. \$800 / month) within a specific timeframe (i.e. 12 months). **A landlord cannot increase rent** while the signed lease is still in effect. They can raise rent when a tenant goes to renew the lease. For a month to month lease a 30-day notice of rent increase is required.

If you are a renter through **Section 8**, the Section 8 program has a process called **recertification** which is a time period when someone's eligibility for assistance is reassessed. This recertification period may result in a change to the person's cost of housing through Section 8, resulting in a potential increase.



Common Situations

What does it mean to "pay in protest"?

You should never withhold rent from your landlord as it gives cause for eviction. Even if there is a conflict between you and your landlord, pay your rent on time. If there is a conflict, you can "pay in protest", this is when you continue to pay rent but either write in the memo line of the check that it is in protest or use a document on the KLS website.

What is considered normal wear and tear?

Normal wear and tear is the deterioration that occurs to the rental home or space as a result of regular daily use. Normal wear and tear occurs from regular daily use of the home or space where the tenant was **not** negligent or careless, and where the tenant did not misused objects or abused the space. The tenant is always responsible for how their guests treat the space.

Some examples of normal wear and tear are lightbulbs burning out and a carpet that is worn from people just walking. A carpet that has wine stains or burnt holes, however, is not considered normal wear and tear.



Survey the living conditions

Your space should be in compliance with basic living standards. Wyandotte County follows the standards set in the 2012 International Code.* Here are some examples of conditions you should look for:



Sanitary facilities - Must have hot and cold running water and utilize an approved sewer or septic system.



Heating and AC units - Any heating or AC units must be working properly to prevent fire hazards. AC systems are not required in units, but if present must work correctly.



Electricity and light - Each room must have either natural or artificial light. There must be safe electrical sources and working outlets and switches.



More than one exit - In case of an emergency like a fire, there must be more than one exit point in the building for the unit.



Windows and doors - There must be at least one window that opens in every living and sleeping space. Any window designed to open should not be painted, boarded, or nailed shut. Point of entry doors should be able to lock properly.



Served by water supply - Supply must be sanitary and contamination free.



Smoke detector - There must be a smoke detector in each bedroom and on each level of the unit.



No vermin or rodents - The unit should be clean and guard against rodent or vermin infiltration.

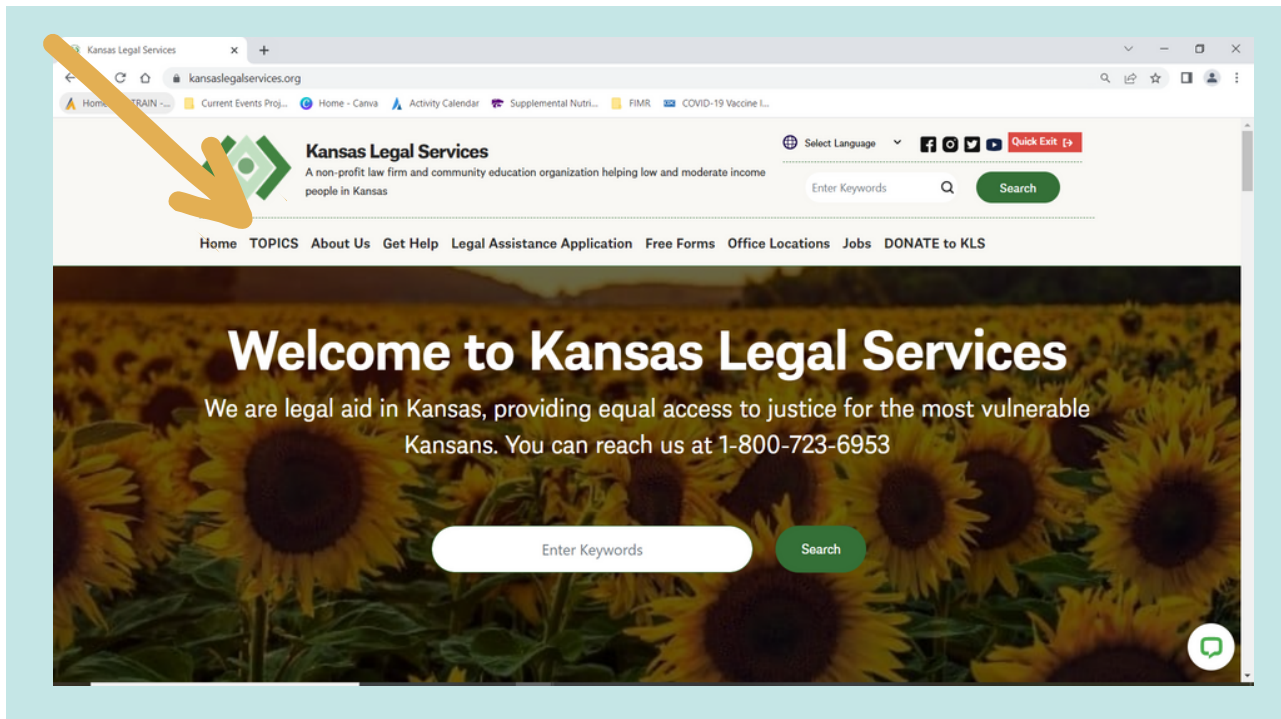
*Unified Government of Wyandotte County/Kansas City, Kansas. Codes & Ordinances. [2012 International Codes](#).



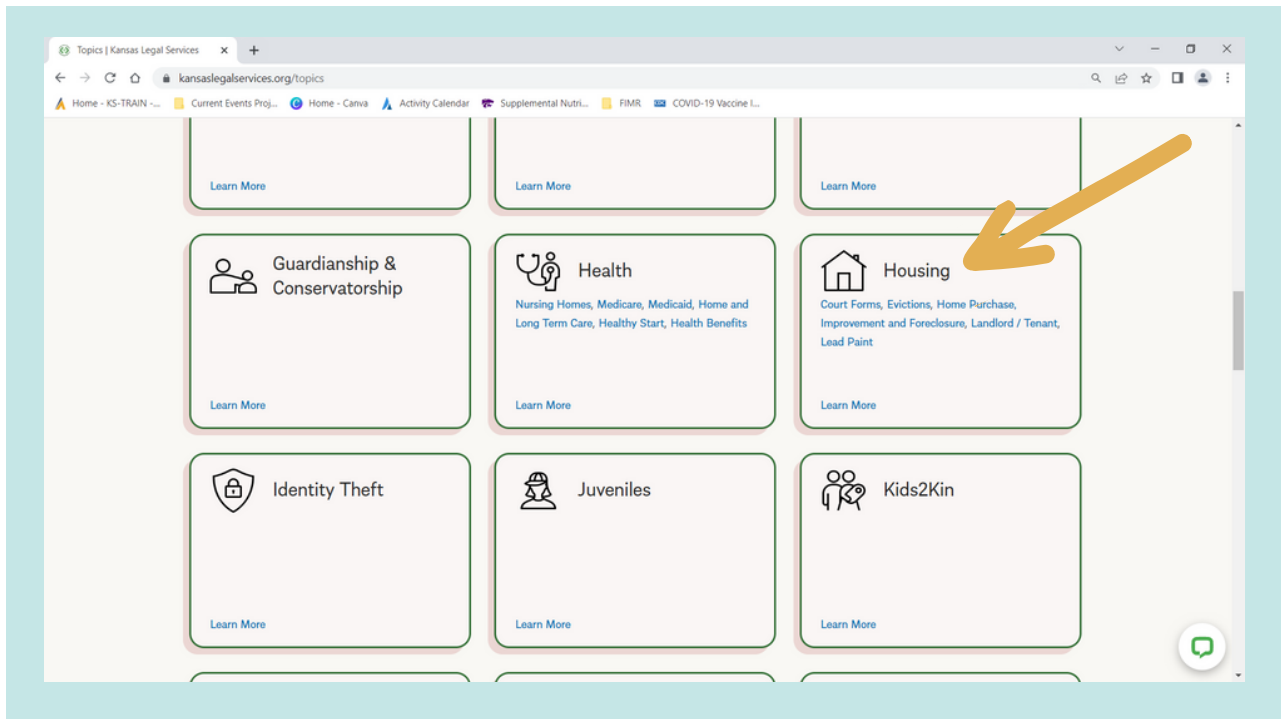
How To Access Toolkit On KLS Website

Step 1. Go to www.kansaslegalservices.org

Step 2. Select Topics at the top bar of the screen.

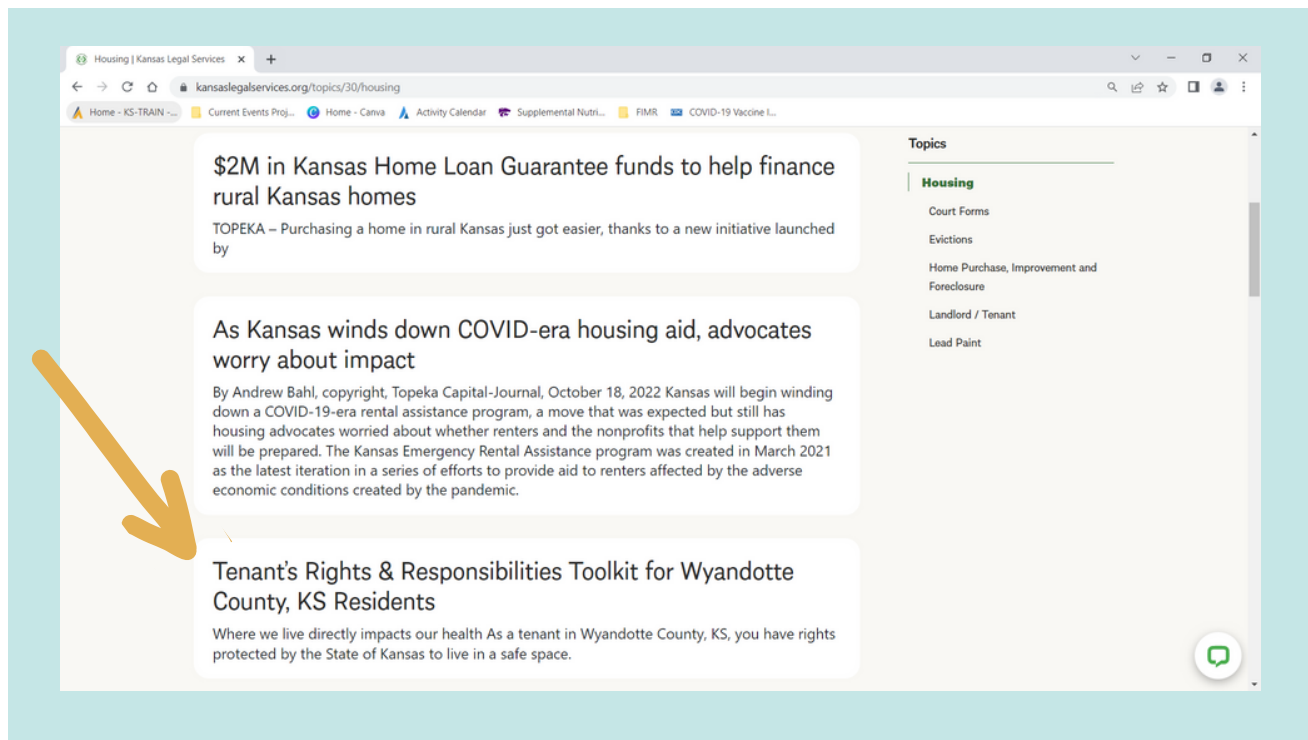


Step 3. Scroll down until you see the topic of housing, select it.

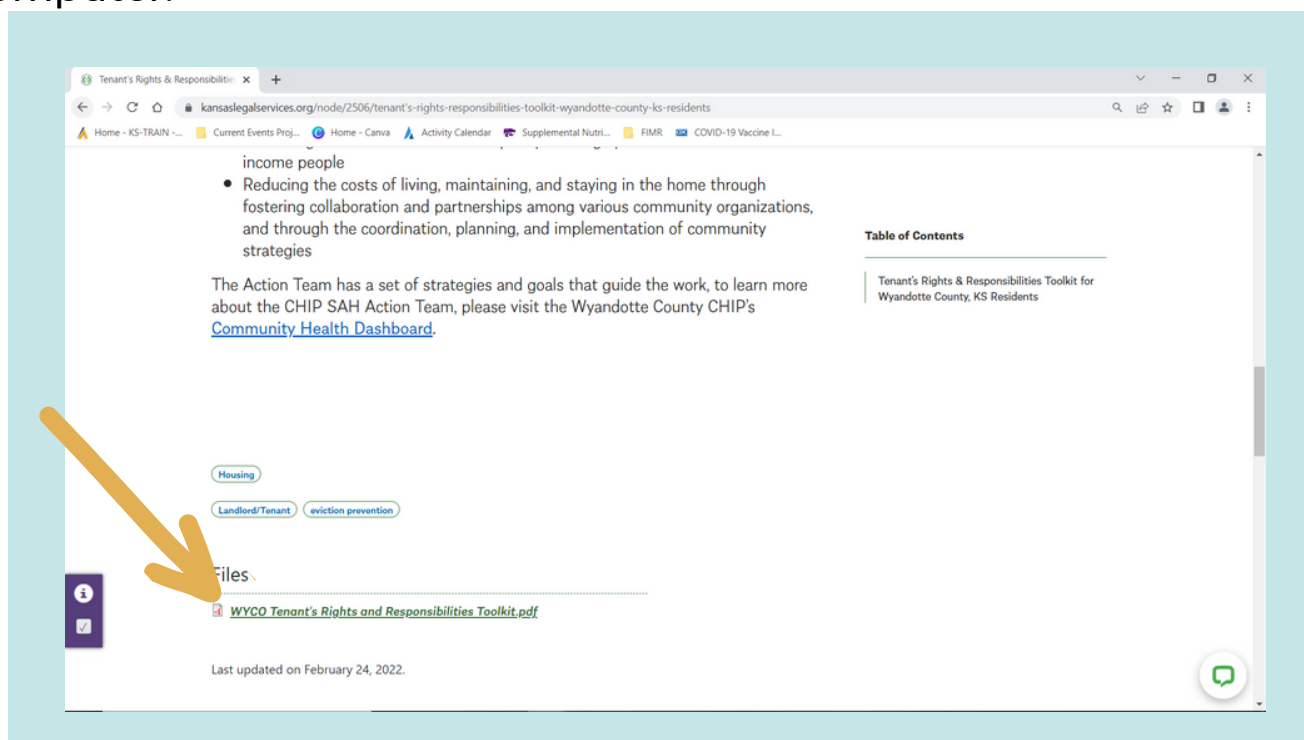


How To Access The Toolkit On KLS Website

Step 4. Scroll down until you see the title of Tenant's Rights & Responsibilities Toolkit for Wyandotte County, KS Residents. Click on the title.



Step 5. Scroll down to the bottom of the page and you will see the PDF. You can open it in your browser and download it to your computer.



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