



Housing Justice For All

Harassment

Harassment in housing or housing-related transactions on the basis of race, color, national origin, religion, sex, disability, and familial status is prohibited under the Fair Housing Act.

Discriminatory harassment or intimidation may include abusive, foul or threatening language or behavior directed at an individual because of their protected class. Harassment includes behavior of the property owners, landlords, property managers, real estate agents, rental agents, maintenance persons or other tenants.

The HUD Guidance on Harassment defines “quid pro quo” and “hostile environment harassment,” as prohibited under the Fair Housing Act and specifies how HUD will evaluate such complaints.

Quid Pro Quo: Occurs when a person is subjected to an unwelcome request or demand because of their protected characteristic, and going along with the request or demand is either explicitly or implicitly made a condition related to the person’s housing. The proposed rule states claims of quid pro quo harassment are most typically associated with sex, but may be established on the basis of protected characteristics other than sex.

Hostile environment harassment would be defined to occur when, because of a protected characteristic, a person is subjected to unwelcome conduct so severe or pervasive that it interferes with or deprives the victim of her or his right to use and enjoy the housing. Whether a hostile environment has been created requires an assessment of the “totality of the circumstances,” which would include, but is not limited to, the nature of the conduct; the context in which the conduct took place; the severity, scope, frequency, duration, and location of the incident(s); and the relationship of the persons involved. Assessing the context would involve considering factors such as whether the harassment was in or around the home; whether the harassment was accomplished by use of special privilege by the perpetrator, such as gaining entry to a home through the landlord-tenant relationship; whether a threat was involved; and whether the conduct was likely to or did cause anxiety, fear, or hardship.

The full HUD guidance can be found at: <https://www.gpo.gov/fdsys/pkg/FR-2016-09-14/pdf/2016-21868.pdf>

What you should do if you feel you are being harassed:

- Write a narrative of what happened, including the dates of incidents, individuals who were involved, contact information of any witnesses
- Take pictures if possible
- Keep a copy of all relevant documents
- Report it to your housing provider if you are renting
- Contact your local Fair Housing organization and or Civil Rights organization. See resources below
- If you are in danger, call the police

Resources:

Intermountain Fair Housing Council

208-383-0695; www.ifhcidaho.org

Idaho Human Rights Commission

208-334-2873 or 800-249-7025; www.humanrights.idaho.gov

HUD FHEO

800-877-0246; www.hud.gov/fairhousing



The work that provided the basis for this presentation was supported by funding under a grant with the U.S. Department of Housing and Urban Development. The creator is solely responsible for the accuracy of the statements and interpretations contained in this presentation. Such interpretations do not necessarily reflect the views of the federal government.