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Reps. Nadler, Conyers Push for Sweeping Reform of Nation's Housing Discrimination Laws

WASHINGTON, DC – Today, Congressman Jerrold Nadler (D-NY), the top Democrat on the Judiciary Subcommittee on the Constitution and Civil Justice, along with Judiciary Committee Ranking Member John Conyers (D-MI), introduced the Housing Opportunities Made Equal (HOME) Act in order to extend critical federal civil rights protections to individuals, regardless of sexual orientation, gender identity, marital or familial status, disability, or source of income. Today, many in the LGBT community, many people paying rent with government housing vouchers, and numerous others routinely experience housing discrimination by landlords, banks, and real estate professionals.

"LGBT Americans, non-traditional families, and the disabled should not be subjected to housing discrimination at the hands of the unscrupulous or bigoted," said Nadler. "This legislation will ensure that the Fair Housing Act and the Equal Credit Opportunity Act are actually protecting ALL Americans and guaranteeing people of any sexual orientation, gender identity, marital and familial status, and source of income the right to the housing they choose."

"We can't win the fight for equal housing opportunities without the HOME Act and its greater protections against housing discrimination," Conyers said. "I am pleased to introduce this bill with my colleagues as it will further the cause of the original Fair Housing Act and the legacy of Dr. Martin Luther King, Jr. in promoting integrated communities."

"We applaud Representative Nadler and Senator Brown for their efforts to bring the Fair Housing Act into the 21st Century," said Shanna L. Smith, National Fair Housing Alliance President and CEO. "These much-needed changes to the Act reflect our nation's commitment to creating stronger, more diverse and inclusive neighborhoods. Housing discrimination is wrong and runs counter to the American spirit of opportunity. It's time we leave intolerance and bigotry in America's dark history of senseless exclusion and instead continue to march on the path to equality."

The HOME Act would amend the Fair Housing Act by prohibiting discrimination in the sale or rental of housing, the financing of housing, and in brokerage services on the basis of sexual orientation, gender identity, source of income, or marital status. The Act would also amend the Fair Housing Act's definition of "familial status" in order to more accurately reflect contemporary family arrangements – expanding the term to include "anyone standing in loco parentis" of one or more individuals who are not 18 years of age, thus providing non-traditional families with equal protection.

The Act would prohibit discrimination in lending on the basis of actual or perceived sexual orientation or gender identity. It would make clear that a seller or landlord has an ongoing obligation to refrain from engaging in housing discrimination, even after the purchase or the lease is signed. This will address cases like Bloch v. Frischholz, in which a condo association in Chicago prohibited a Jewish family from posting a mezuzah in accordance with their religious beliefs.

The Fair Housing Act, Title VIII of the Civil Rights Act, has protected people living in America from housing discrimination since 1968, when it passed in the immediate aftermath of Dr. Martin Luther King, Jr.'s assassination. Under the Act, it is illegal to discriminate on the basis of race, color, religion, national origin, gender, disability, or familial status. The Act also mandates that the federal government promote integrated communities.

While these measures were an important first step in the fight for equal housing opportunities, they have been thus far inadequate in keeping relevant with the times.

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People who are not currently protected by the Fair Housing Act regularly face open discrimination in the housing market. Landlords, real estate agents, and mortgage lenders often offer housing on different and discriminatory terms to LGBT individuals. LGBT individuals and non-traditional families also face harassment and potential violence. Home seekers who intend to pay for housing with government assistance face similar discrimination. People with disabilities too often face physical barriers when seeking a place to live. It is this gap in the law, the lack of accountability, and discrimination that the HOME Act wishes to address.

Text of the bill is available as a PDF. Senator Sherrod Brown (D-OH) today introduced companion legislation in the U.S. Senate.

Permalink: <http://conyers.house.gov/index.cfm/2013/6/rep-nadler-conyers-push-for-sweeping-reform-of-nation-s-housing-discrimination-laws>

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