

FAIR HOUSING AND ANTI-DISCRIMINATION LAWS

Elliott Larsen Civil Rights Act

Michigan Public Act #453

Prohibits employers consisting of one or more employees, both public and private, employment agencies, labor organizations, from discriminating against an employee or an applicant for employment based on the employee/applicant's race, color, religion, national origin, age, sex (including pregnancy and sexual harassment), height, weight, or marital status. It is further unlawful to discriminate against a person in retaliation for opposing a violation of this Act, making a charge, a complaint, testifying or participating in an investigation, proceeding or hearing under this Act. The Act covers not only employment discrimination, but also housing, real estate transactions, educational institutions, public accommodation, law enforcement, and public services.

Persons with Disabilities Civil Rights Act

Michigan Public Act #220

Prohibits discrimination based on a person's disability in the areas of employment, housing, real estate and the full equal utilization of public accommodations, public services, and education. A person shall accommodate a person with a disability for purposes of employment, public accommodation, public service, education, or housing unless the person demonstrates that the accommodation would impose an undue hardship.

Title VIII of the U.S. Civil Rights Act "Fair Housing Act"

<http://www.usdoj.gov/crt/housing/title8.htm>

Prohibits discrimination in the sale, rental, purchase, lease, financing and/or advertising of housing based upon race, color, religion, sex, national origin, handicap and familial status.

Fair Housing Act applies to all housing except owner-occupied 1 to 4 unit dwellings and housing for older persons where persons 55 and older are concentrated or designated to assisting elderly people.

Title VI of the Civil Rights Act of 1964 provides that no person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied benefits of, or otherwise be subjected to discrimination under any program or activity receiving Federal financial assistance.

Section 3, Housing and Urban Development Act of 1968, as amended. Section 3, Housing and Urban Development Act of 1968, as amended provides that, to the greatest extent feasible, opportunities for training and employment shall be given to lower-income residents of the unit of local government or the metropolitan area (or non-metropolitan county), as determined by the Secretary, in which the project is located; contracts for work in connection with such projects shall be awarded to business concerns which are located in, or which are owned in substantial part by persons residing in the same metropolitan area (or non-metropolitan county) as the project.

Section 504 of the Rehabilitation Act of 1973, as amended provides that no otherwise qualified handicapped individual in the United States shall, solely by reason of his/her handicap, be excluded from the participation in, be denied the benefits of, or be discriminated against under any program or activity receiving Federal financial assistance.

Age Discrimination Act of 1975, as amended provides that no person in the United States shall, on the basis of age, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.

Americans with Disabilities Act (ADA) prohibits discrimination on the basis of disability in employment, State and local government (regardless of the government entity's size or receipt of Federal funding), public accommodations, commercial facilities, transportation and telecommunications.

Executive Order 11063, as amended provides that no person in the United States because of race, color, religion (creed), sex, or national origin, shall be denied equal opportunity in housing and related facilities provided with Federal financial assistance, and that all Federal executive departments and agencies shall take action to promote the abandonment of discriminatory practices with regard to residential property and related facilities provided with Federal financial assistance.

Executive Order 11246, as amended provides that no person shall be discriminated against on the basis of race, color, religion, sex, or national origin in any phase of employment during the performance of Federal or federally-assisted construction contracts in excess of \$10,000.

Section 104, Housing and Community Development Act of 1974, as amended requires each State to certify that it will affirmatively further fair housing.

Section 106, Housing and Community Development Act of 1974, as amended requires that a State receive from funded units of local government, a certification to affirmatively further fair housing. Local government recipients must take some action that will facilitate fair housing choice.

Section 109, Housing and Community Development Act of 1974, as amended requires that no person in the United States shall on the grounds of race, color, national origin or sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity funded in whole or in part with funds made available under Title I. Further, Section 109 provides that any prohibition against discrimination on the basis of age under the Age discrimination Act of 1975 or with respect to an otherwise qualified handicapped individual as provided in Section 504 of the Rehabilitation Act of 1973 shall also apply to any program or activity funded in whole or in part with funds made available pursuant to Title I. This Section prohibits discrimination in employment as well as in the provision of facilities, services and benefits.