Religious Beliefs and Practice Protections Against Housing Discrimination
## OVERVIEW OF TOPICS FOR THIS SESSION

| RELIGIOUS BELIEFS AND PRACTICE PROTECTIONS AGAINST HOUSING DISCRIMINATION | WHAT QUALIFIES AS “RELIGION”? |
| BELIEFS? PRACTICES? CUSTOMS? | WHAT DOES DIRECT RELIGIOUS DISCRIMINATION LOOK LIKE? |
| DISPLAYS OF FAITH, OBSERVANCE OF RELIGIOUS HOLIDAYS, AND DECORATIONS | PREVENTING RELIGIOUS HARASSMENT |
| WHAT ABOUT RELIGIOUS INSTITUTIONS? |
Religious Beliefs and Practice Protections Against Housing Discrimination

Religion, shared ancestry, and ethnic characteristics are protected characteristics under federal, state, and local fair housing laws.

That means that you cannot be treated differently by landlords, sellers, agents, banks, management companies, operators of facilities, co-op boards, or other housing providers because of your religious beliefs, practices, or customs (or the absence of them), nor your shared ancestry or ethnic characteristics.
WHAT QUALIFIES AS “RELIGION”?
“Religion” describes the beliefs, practices, and/or customs present in the practice and non-practice of religion, such as those who are agnostics or atheists, as well as the practice of multiple religious or spiritual traditions.
What qualifies as “religion”?

Housing providers may discriminate against people based on their religion (which may be expressed by symbols, manners of dress, or stated beliefs) or the perception of their religion (which may include ethnicity, cultural stereotyping, or familial relationships).

Some housing providers may believe it’s easier to not have people of multiple faiths (including no faith) living in their buildings will often try to find ways to avoid renting to anyone who’s perceived to be different. For these reasons, religious discrimination can often be accompanied by other forms of discrimination including by race or national origin.
Whichever ways you express your faith or non-faith – that’s YOUR business. Not a landlord’s. They don’t get to modify the ways your beliefs are shown nor are they able to control the religious makeup of a building, block, or neighborhood.
“Religion” can include:

**What you wear** (i.e., a yarmulke or jewelry),

**What you do** and eat (prayer habits),

**What you say** (i.e., accents and speech, language, or prayer),

and the practices (i.e., ceremonies, holidays, etc.) that may help express cultural, religious, or ancestral heritage.
WHAT DOES DIRECT RELIGIOUS DISCRIMINATION LOOK LIKE?
Sometimes it’s obvious, like a **flat-out refusal** to rent to women who wear hijabs (religious headscarves), Sikhs who wear turbans, or anyone who isn’t a member of a particular faith community (i.e., refusing to rent to non-Jews).

Direct Religious Discrimination
But more often, it’s **subtle and hidden**. Providers might reference their dislike for a certain religious group or practice. Some providers may attempt to steer people away from their building by emphasizing perceived differences, saying things like “There isn’t a mosque (or synagogue or church) nearby” or “You know, this is a Jewish neighborhood.”
Another method to steer people away may be by *offering lower rents* or *more favorable terms* to applicants of a particular faith group.
EXAMPLE 1. _______ IS DISCRIMINATED AGAINST ON THE BASIS OF RELIGION

[insert a scenario here—could be a back and forth between a potential tenant and landlord or an existing tenant to help illustrate the point]
DISPLAYS OF FAITH, OBSERVANCE OF RELIGIOUS HOLIDAYS, AND DECORATIONS
One difference that tenants may experience is a difference in what types of decorations are allowed to be displayed. Providers may insist that the display of some religious items or decorations, such Christmas lights or a Menorah, are allowed but prohibit other displays. But it’s the provider’s responsibility to make display of decorations available to everyone (including in windows), so long as they do not interfere with any safety or sanitation laws.

Other displays of faith, including prayer and manners of dress, cannot be prohibited or required as condition for housing or occupancy. You should report it if you are ever questioned by a housing provider about your religious beliefs or feel pressured to adopt or convert to a particular religion.
PREVENTING RELIGIOUS HARASSMENT
Housing providers are required to investigate or take appropriate action to protect a resident from religious harassment by another tenant.

A housing provider may not use a hostile living situation as a deterrent to steer particular applicants away from a building or neighborhood.
Preventing Religious Harassment

[INSERT SCENARIO AND DISCUSSION QUESTIONS]

[insert a scenario here—could be a back and forth between a potential tenant and landlord or an existing tenant to help illustrate the point]
WHAT ABOUT RELIGIOUS INSTITUTIONS?
In limited circumstances, a religious institution or affiliated organization providing housing (that does not receive federal funds) may favor or give a preference to persons of the same religion only if:

It is offering the housing for non-commercial purposes (i.e. to provide housing to faith leaders or religious workers, students in a monastery or convent, or emergency housing that is not offered to the general public); and

The religion does not discriminate on the basis of race, color, or national origin. The religious provider may only give a preference based on religion and may not discriminate based on any other protected characteristics.
How might you know the difference?

Example of a **religious** institution

Example of a **non-religious** institution

[add content and example]

[add content and example]
Discussion
THANK YOU!

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