



Pennsylvania  
Human Relations Commission

# Fair Housing Fundamentals

PENNSYLVANIA HUMAN  
RELATIONS COMMISSION

Pennsylvania's Civil Rights Agency



[www.pa.gov/en/agencies/phrc](http://www.pa.gov/en/agencies/phrc)

# Fair Housing in Pennsylvania:

## It's Your Right!



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# Training Goals

1. Provide an overview of the PA Human Relations Commission
2. Identify relevant fair housing laws & protected classes
3. Discuss discriminatory practices
4. Discuss how fair housing changes are impacting Pennsylvanians
5. Provide an overview of the complaint process
6. Answer your fair housing questions





# Engagement Acknowledgement



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## Disclaimer

Information, materials, and/or technical assistance are intended solely as informal guidance and are neither a determination of your legal rights or responsibilities under the PHRA and/or applicable Federal laws, nor binding on any agency with enforcement responsibility under those same laws.



# The Pennsylvania Human Relations Commission (PHRC)



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# About the PHRC

Two-Part Mission:

1. Enforce PA Non-Discrimination Laws

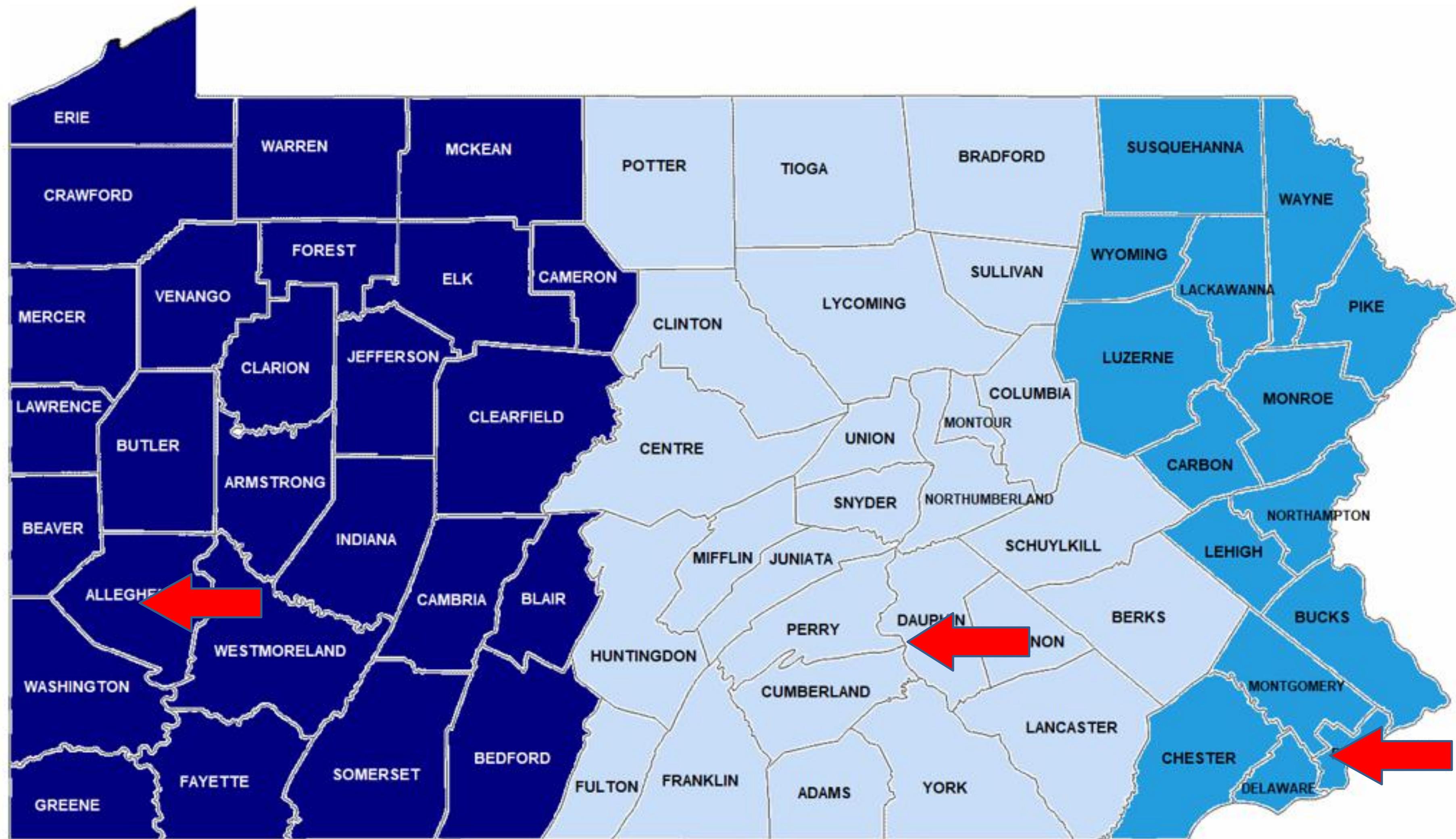
Pa Human Relations Act

Pa Fair Educational Opportunities Act

2. Promote Equal Opportunity for ALL in PA



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# Non-Discrimination Laws in Pennsylvania

## PA Human Relations Act

- Employment
- Housing
- Commercial Property
- Public Accommodations
- Primary & Secondary Education

## PA Fair Educational Opportunities Act

- Post-Secondary Education



# Fair Housing Laws



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# Goals of Fair Housing

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**Goal #1: End Housing Discrimination**

**Goal #2: Promote Diverse, Inclusive Communities:**  
Affirmatively Furthering Fair Housing



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# What do fair housing laws cover?

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- **Sale, and rental of housing, and housing-related transactions**
- **Types of housing:** apartments, single family homes, manufactured housing communities, condominiums, public housing, nursing homes, dormitories, and more.
- **Discrimination Theories:**
  - **Disparate Treatment:** treatment that directly discriminates against a member of a protected class
  - **Disparate Impact:** a policy that impacts a member of a protected class.



# Fair Housing Law overview

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- **Federal:**
  - Fair Housing Act of 1968 (FHA)
  - Section 504 of the Rehabilitation Act of 1973
  - Americans with Disabilities Act of 1990 (ADA)
- **State:**
  - Pennsylvania Human Relations Act (PHRA)
- **Local:**
  - Check your local ordinances!



# Housing Jurisdiction

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- **Covered Providers:**
  - FHA: housing providers with 4 or more properties, unless they publicly advertise vacancies or receive federal funding
  - PHRA: housing providers with 1 or more properties
- **Filing Timeline:**
  - FHA: Complaint must be filed within 365 days of the date of the last harm
  - PHRA: Complaint must be filed within 180 days of the date of the last harm



# Protected Classes

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## FHA

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

## PHRA

- Race
- Color
- National Origin
- Familial Status
- Religious Creed
- Sex
- Disability
- Age (40+)
- Ancestry
- Use, handling, or training of Support Animals for Disability



# Familial Status

- Families with children under the age of 18, living with parents or legal custodians
- Pregnant persons
- People securing custody of children under the age of 18
  - Foster children included
- Exemption: Housing covered by the Housing for Older Persons Act



# Sex

## Sex as a protected class under the PHRA

While LGBTQ+ is not considered to be a protected class under the PHRA, PHRC finalized regulations in 2023 that establish that the term “Sex” may refer to:

- Pregnancy Status
- Childbirth Status
- Breastfeeding Status
- Sex Assigned at Birth
- Gender Identity or Expression
- Affectional or Sexual Orientation
- Differences in Sex Development

These regulations are utilized by the Commission in:

- Accepting complaints,
- Conducting investigations, and
- Adjudicating cases



Learn more: [Policy and Law | Pennsylvania Human Relations Commission | Commonwealth of Pennsylvania \(pa.gov\)](https://www.pahumanrelations.gov/policy-law)



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# Disability

- A physical or mental impairment that substantially limits one or more of a person's major life activities
- Examples: caring for oneself, walking, seeing, hearing, speaking, breathing, learning, and/or working
- Fair Housing Laws protect those:
  - Who have a disability
  - Who have a history of a disability
  - Who are regarded as having a disability
- Exemptions:
  - Individuals who are currently using illegal drugs are exempted from disability-related protection
    - This does NOT include those who are in active recovery
  - Individuals who pose a direct threat to the health and safety of others are also exempt from disability-related protection



# Discriminatory Actions



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# Discriminatory Actions

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- Discriminatory statements
- Discriminatory inquiries
- Steering
- Refusal to sell, lease, or finance housing
- Unfair appraisals
- Predatory lending
- Discriminating in housing terms or conditions
- Unequal provision of services & facilities
- Sexual harassment
- Refusal to provide reasonable accommodations & modifications



# Reasonable Accommodations & Modifications

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In addition to the protections we covered so far, individuals with disabilities may also request reasonable accommodations and modifications that are needed to use and enjoy their housing.

What's the difference?

- A **Reasonable Modification** is a structural change made to the premises.
- A **Reasonable Accommodation** is a change, exception, or adjustment to a rule, policy, practice, or service.



# Reasonable Modifications

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It is discriminatory to refuse to allow a person with a disability permission to modify and pay for changes to enable them to use a facility.

- A housing provider may require the residents to restore interior to original condition at the end of tenancy, minus wear and tear.
- NOTE – if the housing provider receives federal funds they are required to pay for the modification, not the tenant

Examples:

- Not allowing a resident to install grab bars in a bathroom
- Not allowing a resident in a wheelchair to construct a ramp



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# Reasonable Accommodations

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It is discriminatory to refuse to make reasonable accommodations in rules, policies, practices, or services necessary to afford equal opportunity for a person with a disability to use and enjoy a housing accommodation.

Examples:

- Not allowing a person with a disability income to pay their rent on a different date than other tenants
- Not designating reserved parking for an individual with a disability who needs it to access their housing
- Not allowing a person with a disability to have a service animal when there is a no pet policy



# Best Practices for Reasonable Accommodation Requests

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A Housing provider should:

- Have an established policy for handling requests
- Document everything in writing
- Limit information requested to what is needed to process the request
- Allow sufficient time for documentation to be submitted
- Respond in a timely manner (within 10 days)
- Engage in interactive dialogue to meet the needs of the tenant





# Keeping up to date with fair housing changes



# Recent Changes in Federal Fair Housing Enforcement

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- [Executive order](#) directing federal agencies to stop enforcing protections regarding sexual orientation and gender identity
- [Executive order](#) directing HUD to stop enforcing Equal Access Rule
- [Executive order](#) directing federal agencies to stop enforcing Disparate Impact
- [Proposed rule](#) regarding Affirmatively Furthering Fair Housing
- Staffing cuts at US Department of Housing & Urban Development
- [Memo](#) to HUD Staff regarding enforcement priorities
- [Memo](#) rescinding federal fair housing guidance documents



# Community Impacts

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- Uncertainty about LGBTQ+ protections, as many individuals are unaware of protections in PHRC's regulations
- Potential for increase in fair housing issues because of a lack of federal accountability
- Immigrant communities fearful about retaliation for filing complaints
- Fewer staff at HUD to process complaints – longer federal investigations
- Potential cuts to housing assistance programs
- Shift away from addressing complex, systemic issues that we know affect housing opportunities.



# FY 2023-2024

- PHRC received 156 complaints of housing discrimination
- Housing complaints by protected class
  1. Disability
  2. Retaliation
  3. Race
- Top acts of harm reported in housing complaints
  1. Eviction
  2. Unfair Terms and Conditions
  3. Refusal to make Reasonable Accommodation



# The Complaint Process



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# Contact Us

**To file a complaint, contact the regional office nearest you or  
by  
calling (717) 787-4410 | (717) 787-7279 TTY users only**

**Harrisburg**  
555 Market Street, Suite 808  
Harrisburg, PA 17101  
717-787-9780  
717-787-7279 (TTY)

**Philadelphia**  
110 N. 8th St. Suite 501  
Philadelphia, PA 19107  
215-560-2496  
215-560-3599 (TTY)

**Pittsburgh**  
301 5th Ave. Suite 390  
Piatt Place, Pittsburgh, PA 15222  
412-565-5395  
412-565-5711 (TTY)

# Intake

- If a person believes they have experienced housing discrimination, their first step is to connect with PHRC's intake team.
- They will be asked to fill out a housing questionnaire to provide contact information, what they experienced, and who they are filing a complaint against.
- The intake team will assess their information to see if this is a situation that PHRC can investigate under state law.
- If the complaint is jurisdictional and timely, the intake team will help them finalize their complaint, then the person who was filed against will be notified.



# Investigation

- They will be asked to provide information to a neutral investigator, who is responsible for investigating if there was a violation of the PHRA
- This investigator may ask for documents, interview witnesses, to hold a fact-finding hearing, or seek other ways of obtaining evidence.
- Mediation services may be an option, depending on the case and if both parties agree to mediation.
- The investigator will also explore if it is possible to settle the case before a finding.



# Finding

- If the case proceeds to a finding, there are two possible outcomes:
  - Probable Cause
  - No Probable Cause
- If probable cause is found, the case may be conciliated, advance to public hearing, or be filed in court. At this point, the goal is to seek a remedy for the discrimination that occurred.
- The amount of time it takes to investigate a case varies, based on the evidence, the speediness of responses, and other factors.



# Potential Housing Case Remedies

- Reasonable accommodation or modification is made
- Changes to lease and/or other policies
- Posting of Fair Housing Notices
- Training for Respondents
- Reimbursement of fees and out-of-pocket expenses
- Money for humiliation & embarrassment
- Civil Penalties



# PHRC Fair Housing Resources

- Free housing [training programs](#)
- Monthly housing webinars: [Fair Housing Empower Hour](#)
- [Brochures and fact sheets](#)
- [PHRC Speaks: Fair Housing Forward](#)
- [The State of Fair Housing in the Commonwealth of PA](#)
- Quarterly Fair Housing E-newsletter



# Contact Us

Central Office

555 Market Street, Suite 808  
Harrisburg, PA 17101  
717-787-4410

Brittany Mellinger, Director of Fair Housing & Commercial Property  
[bmellinger@pa.gov](mailto:bmellinger@pa.gov)

<https://www.pa.gov/agencies/phrc.html>



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# Fair Housing Trends and Resources

Jessica Aviva, Ph.D.

Kathy A. Possinger Housing Policy Fellow



# Discussion

What is happening  
in your  
community?

What fair housing  
resources does  
your community  
need?

How is your  
community  
addressing fair  
housing needs?

# Project Overview

- Pennsylvania Migration Data for Fair Housing Practitioners
- Fair Housing Toolkit for Rural Pennsylvania



# Population Changes in Pennsylvania

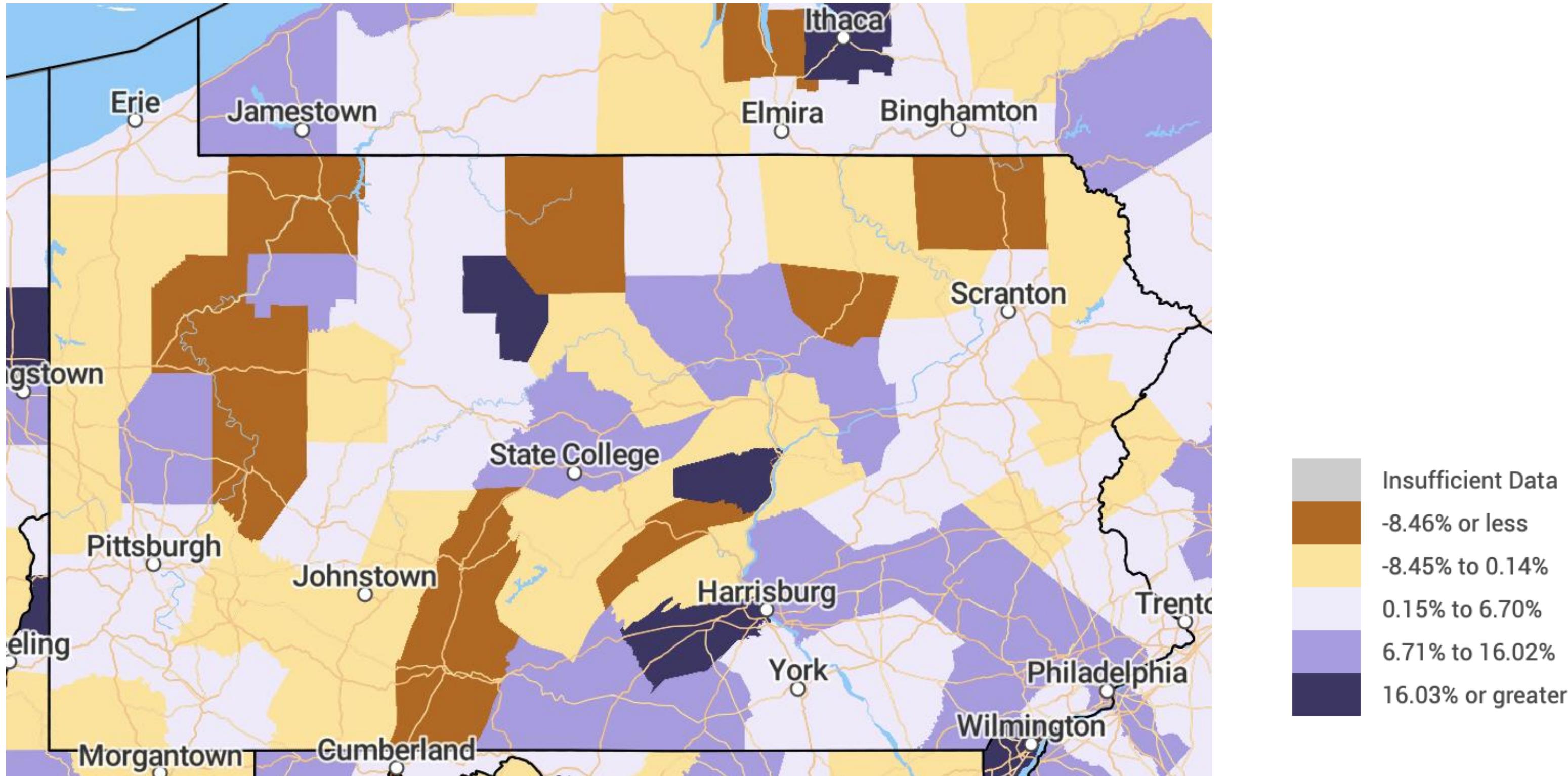
- From 2018 to 2023:
  - Population +1.5%
  - People with Disabilities +3.9%
  - People of Color +28.1%
  - Hispanic or Latine People +20.2%
  - Same Sex Couples +27.7%
  - People Born Outside of the United States and its Territories +11%

Source: U.S. Census Bureau, American Community Survey, 5-year estimates 2018, 2019, and 2023



# People with Disabilities

## Percent Change from 2018 to 2023



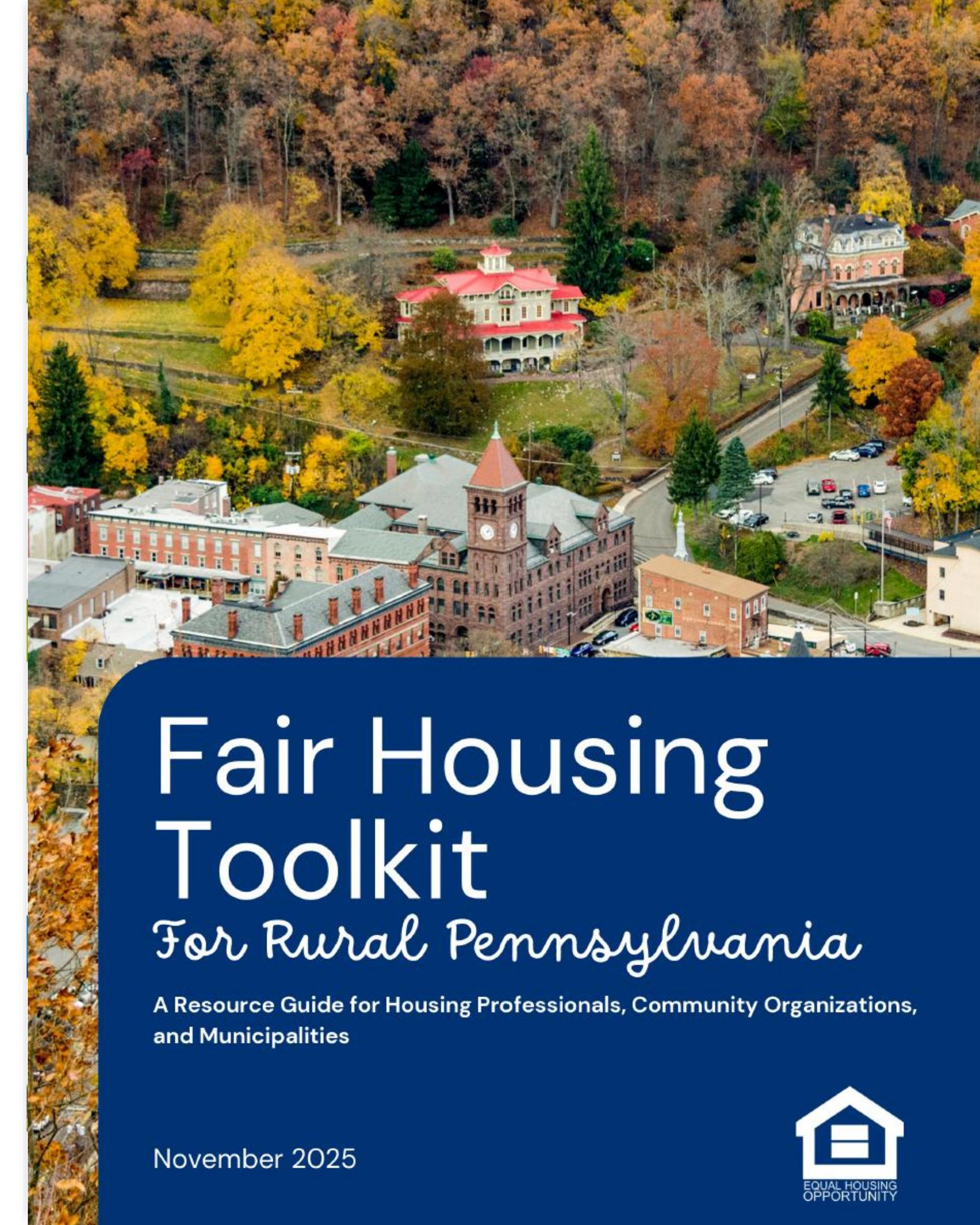
Source: U.S. Census Bureau, American Community Survey, 5-year estimates 2018 and 2023; PolicyMap

# Counties with Largest Increases in Protected Class Groups

- Bradford: +134.9%
- Bucks: +125.2%
- Butler: +141.8%
- Carbon: +246.7%
- Dauphin: +150.5%
- Elk: +399.5%
- Franklin: +147.7%
- Indiana: +142.6%
- Lackawanna: +204.2%
- Lancaster: +128.4%
- Luzerne: +216.1%
- Lycoming: +134.9%
- Montour: +231.5%
- Northampton: +137.2%
- Northumberland: +165.5%
- Perry: +125.8%
- Pike: +278.5%
- Potter: +149%
- Schuylkill: +160%
- Tioga: +171.6%

# Fair Housing Toolkit

- Outreach and Education Strategies
- Resources
- Partners
- Funding Opportunities



## Fair Housing Toolkit

### *For Rural Pennsylvania*

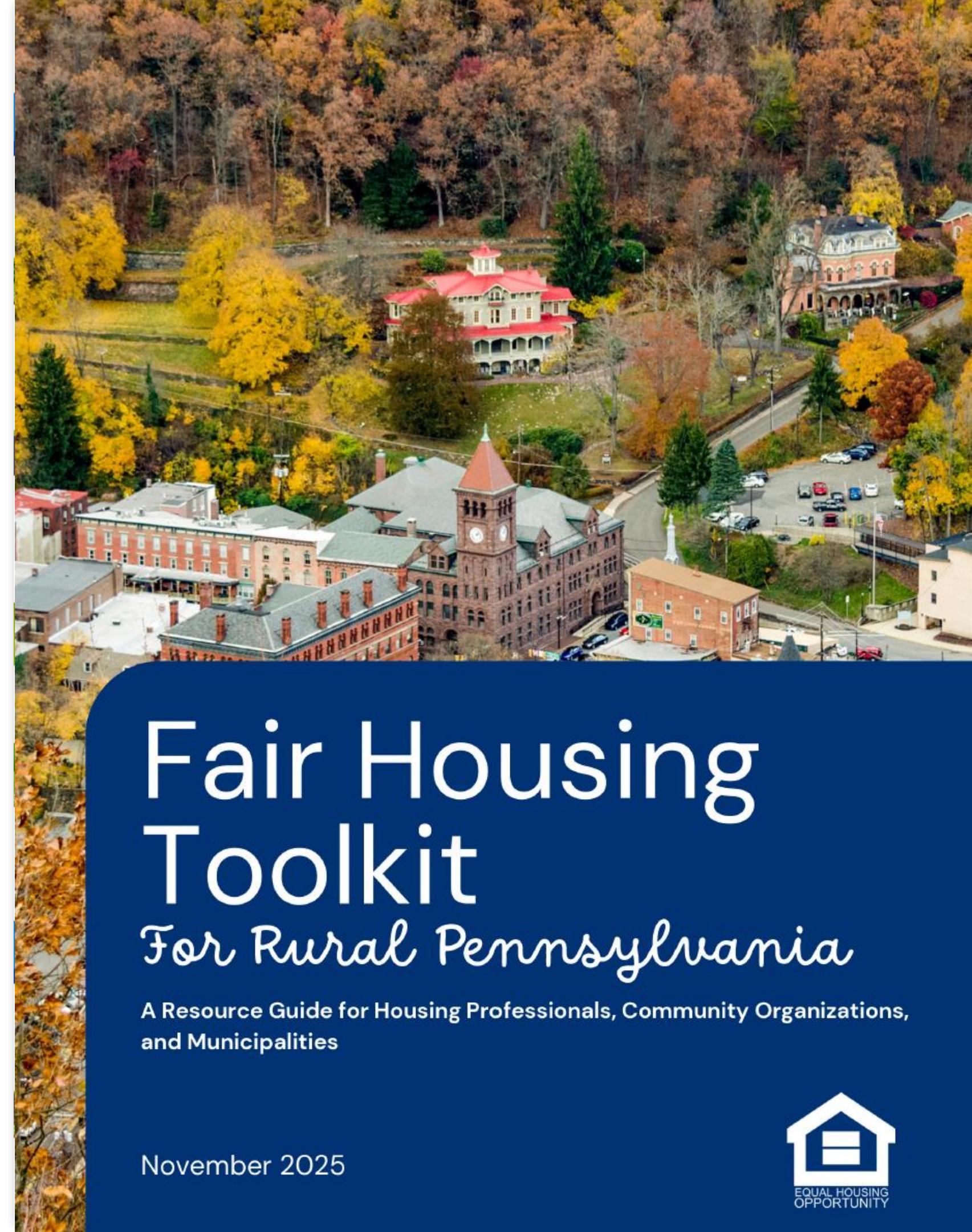
A Resource Guide for Housing Professionals, Community Organizations, and Municipalities

November 2025



# Outreach and Education Strategies

- Recognize Fair Housing Month
- Bring Stakeholders Together
- Convene a Task Force
- Organize Art Activities
- Host a Book Club or Movie Night
- Meet People Where They Are
- Strengthen Municipal Policies and Practices
- Invest in Fair Housing



## Fair Housing Toolkit *For Rural Pennsylvania*

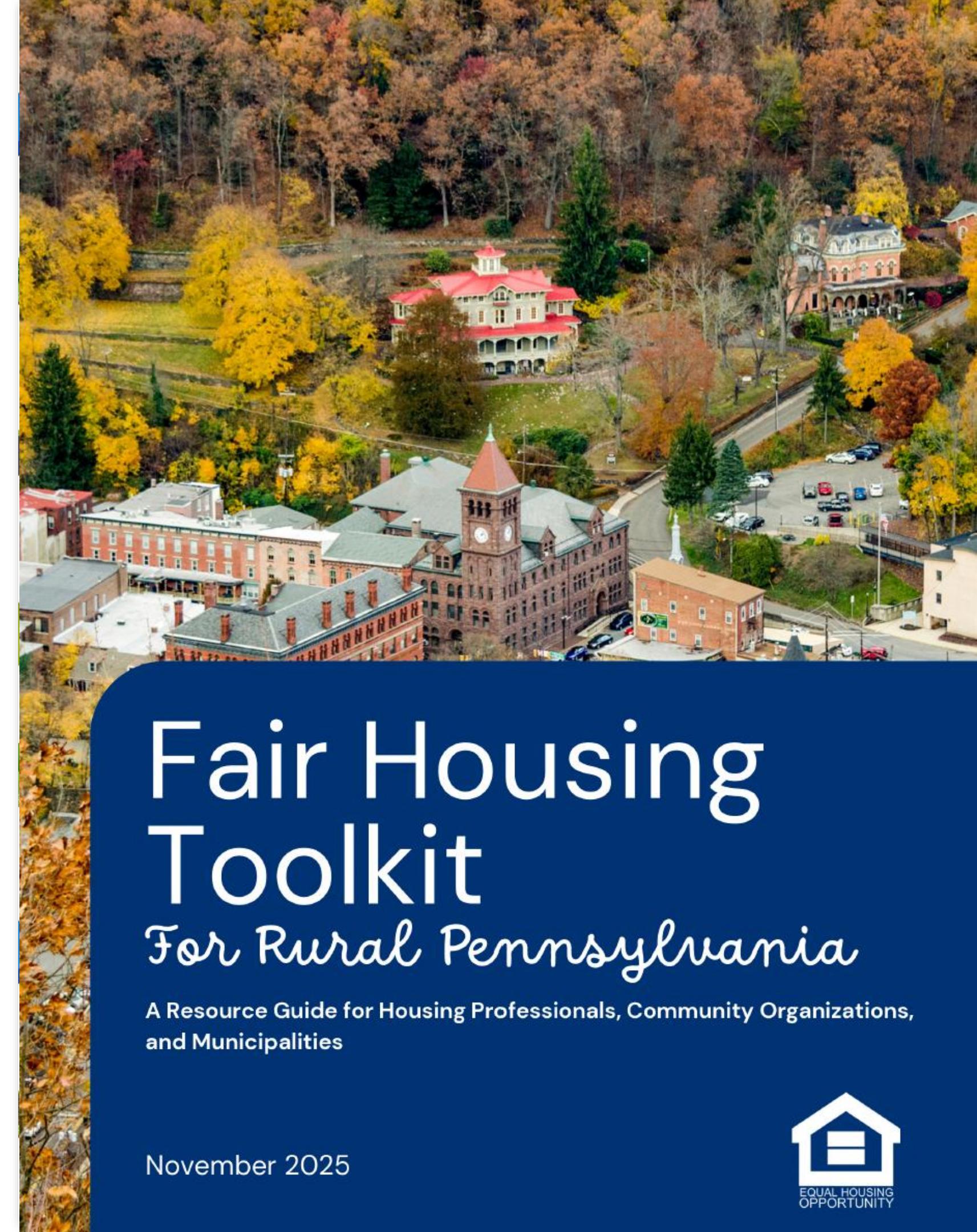
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# Resources

- Posters, Brochures, and Booklets
- Professional Development



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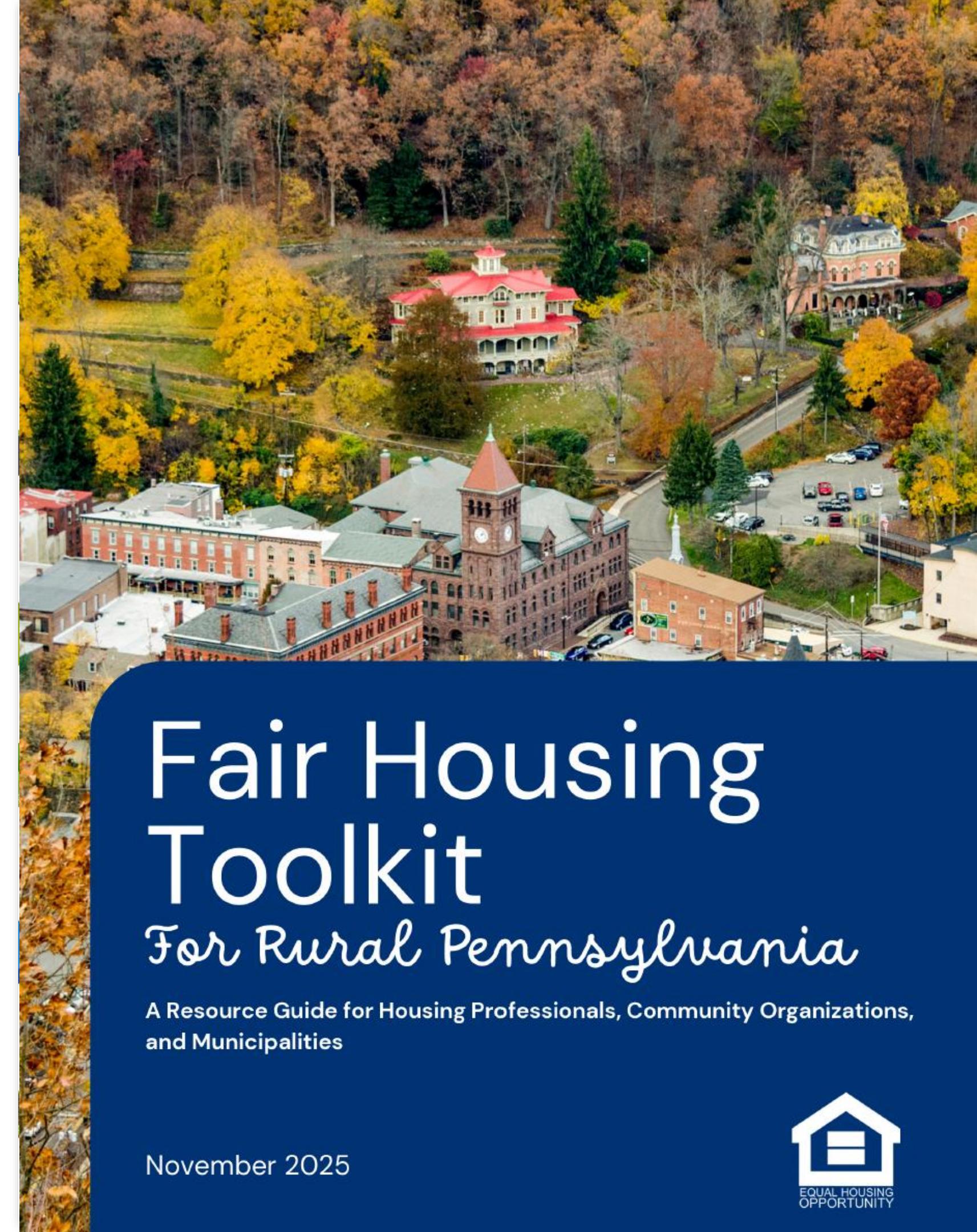
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and Municipalities

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# Partners

- Pennsylvania Human Relations Commission
- Fair Housing, Legal, and Disability Rights Organizations
- Municipalities
- Real Estate Agents
- Rental Property Owners
- Nonprofit and Institutional Housing Providers
- Local Committees



# Fair Housing Toolkit

*For Rural Pennsylvania*

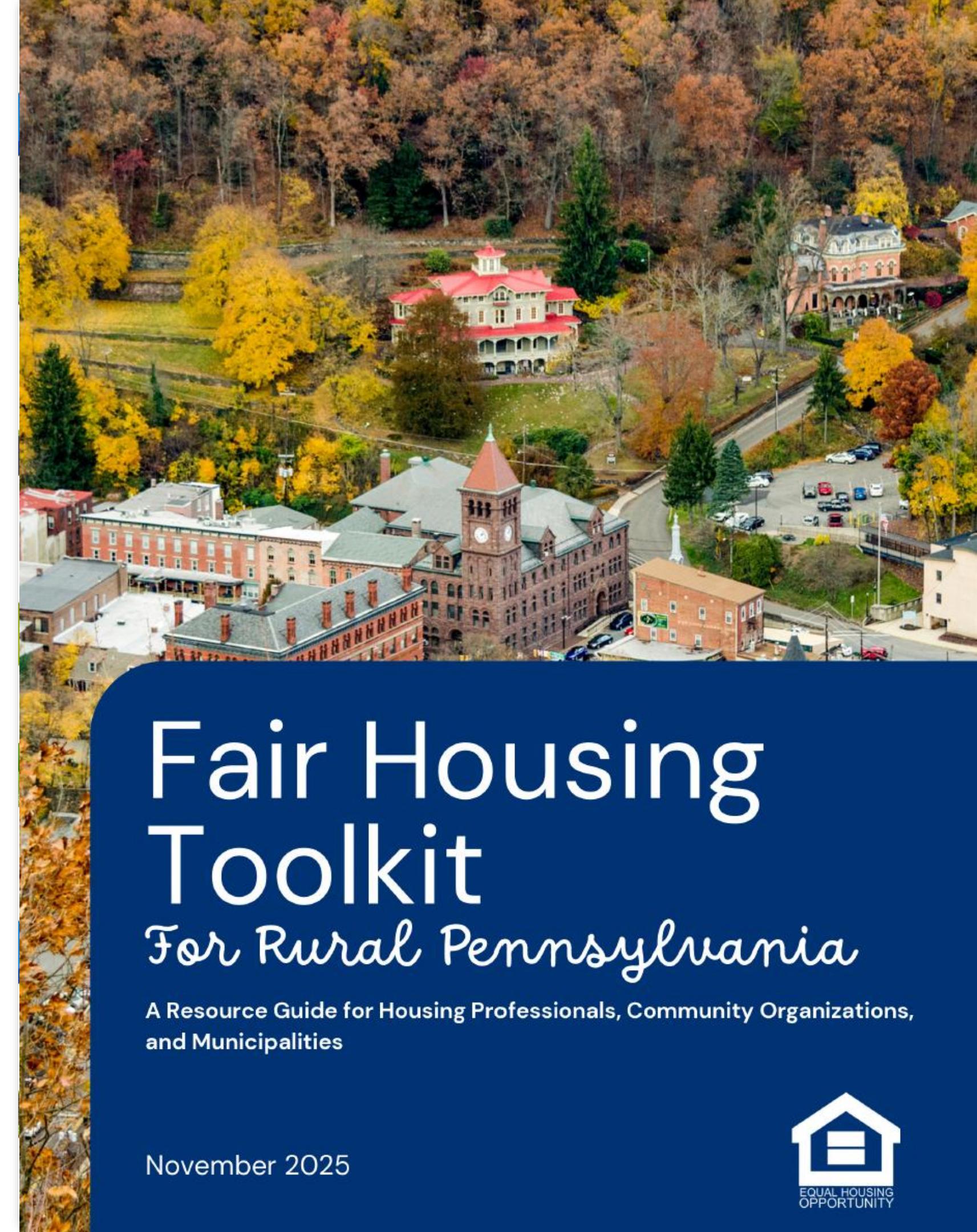
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# Funding Opportunities

- Financial Institutions
- Community Development Block Grant
- Fair Housing Initiatives Program
- PA Association of Realtors®



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A Resource Guide for Housing Professionals, Community Organizations,  
and Municipalities

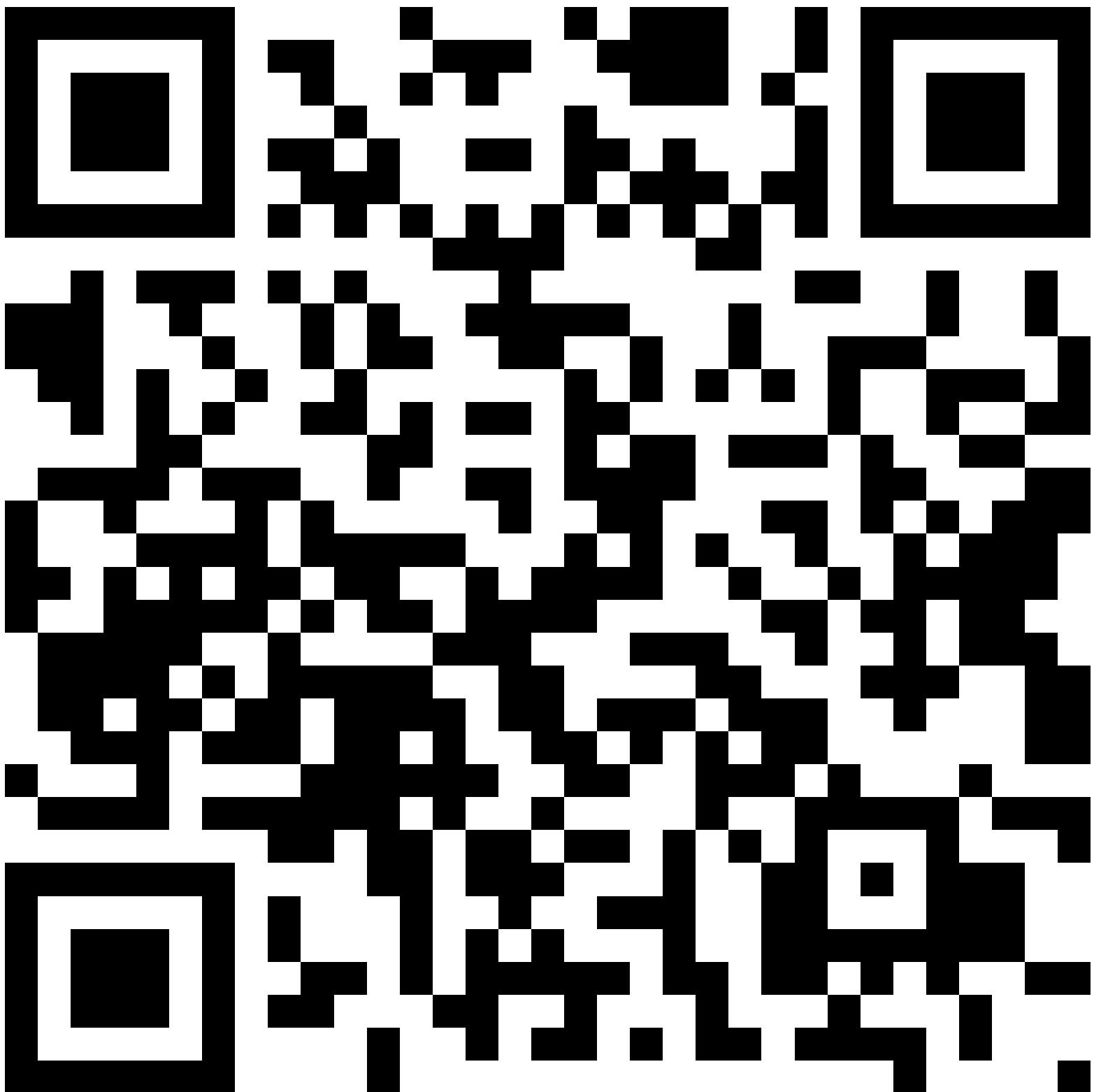
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# Request Digital Copies

- Migration Data Report and Spreadsheet
- Fair Housing Toolkit

Jessica Aviva, Ph.D.  
[drjessaviva@gmail.com](mailto:drjessaviva@gmail.com)



# Questions