



Pennsylvania
Human Relations Commission

Fair Housing Fundamentals

P E N N S Y L V A N I A H U M A N
R E L A T I O N S C O M M I S S I O N

Pennsylvania's Civil Rights Agency



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

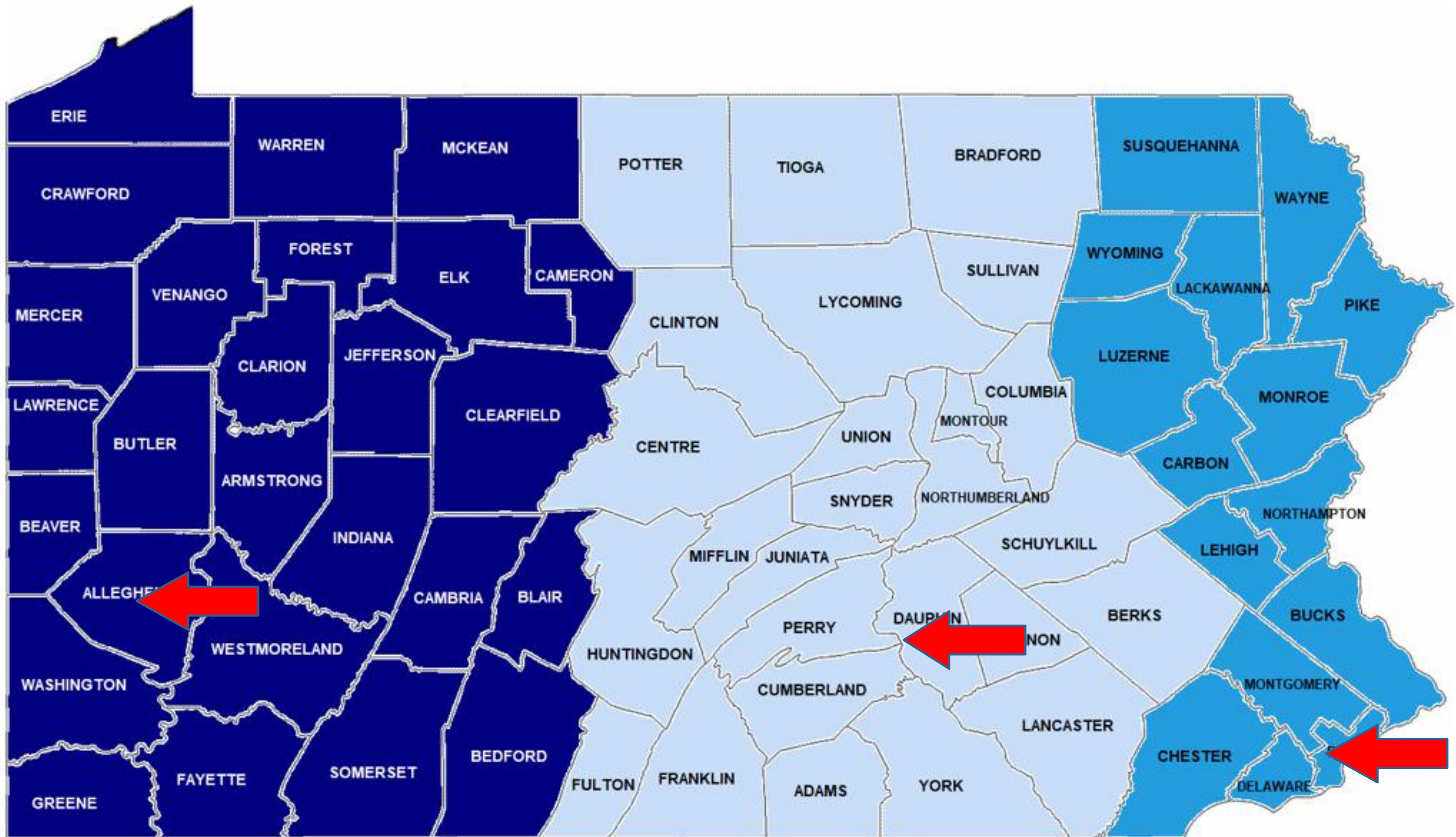
Pa Human Relations Act

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

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?

- **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

- **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

- **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

FHA

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

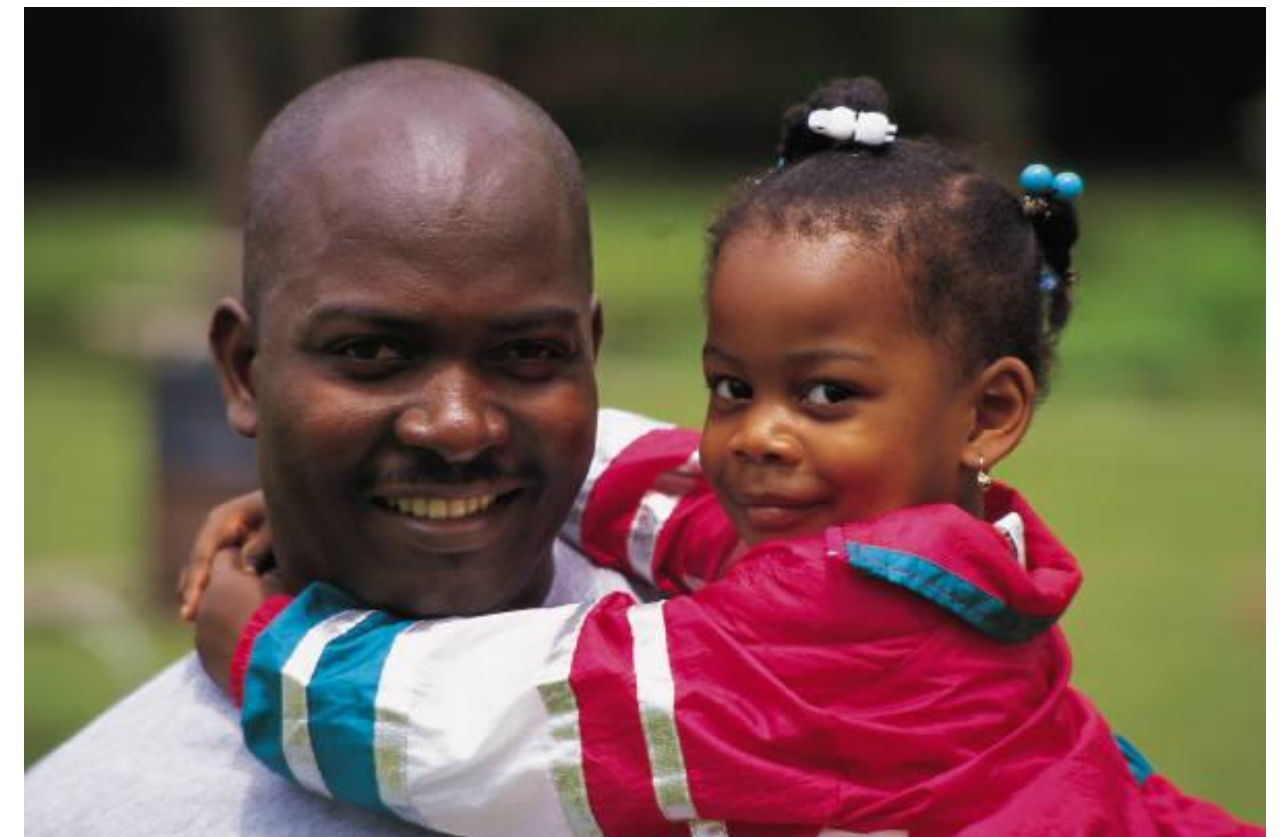
PHRA

- 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



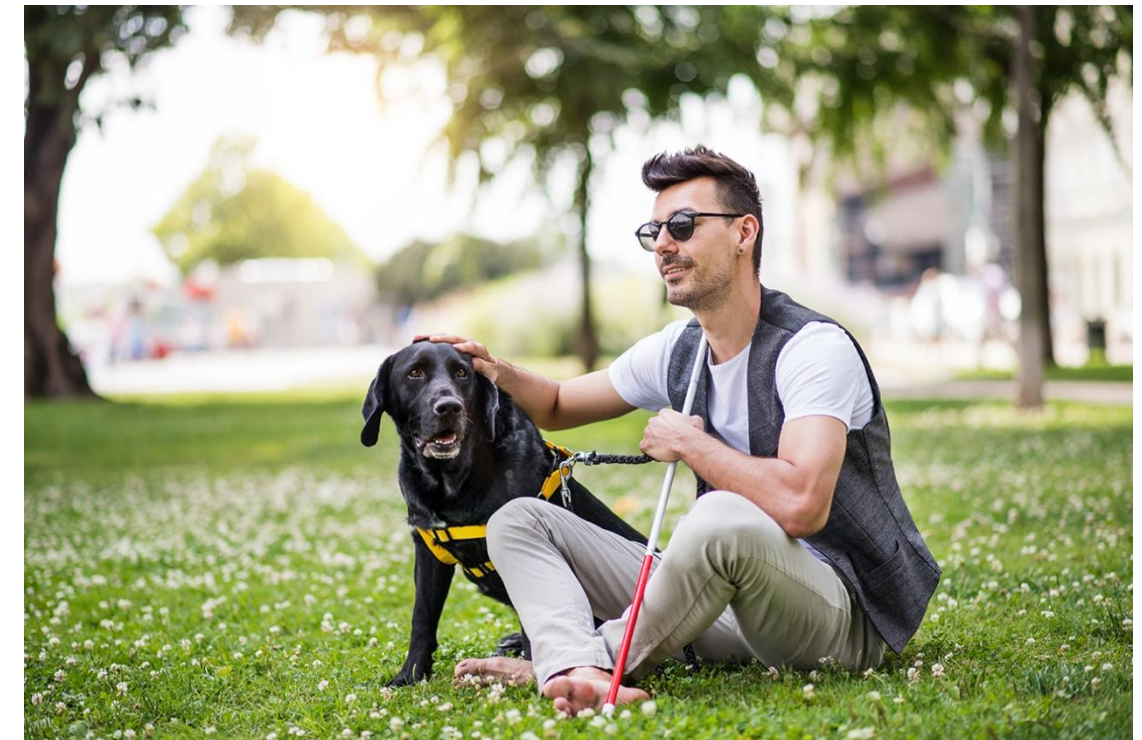
Learn more: [Policy and Law | Pennsylvania Human Relations Commission | Commonwealth of Pennsylvania \(pa.gov\)](https://www.pahrc.pa.gov/policy-and-law)



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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



Discriminatory Actions

- 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

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

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



Reasonable Accommodations

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

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

- [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

- 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



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)



phrc@pa.gov



www.pa.gov/en/agencies/phrc

Follow Us:



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

<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

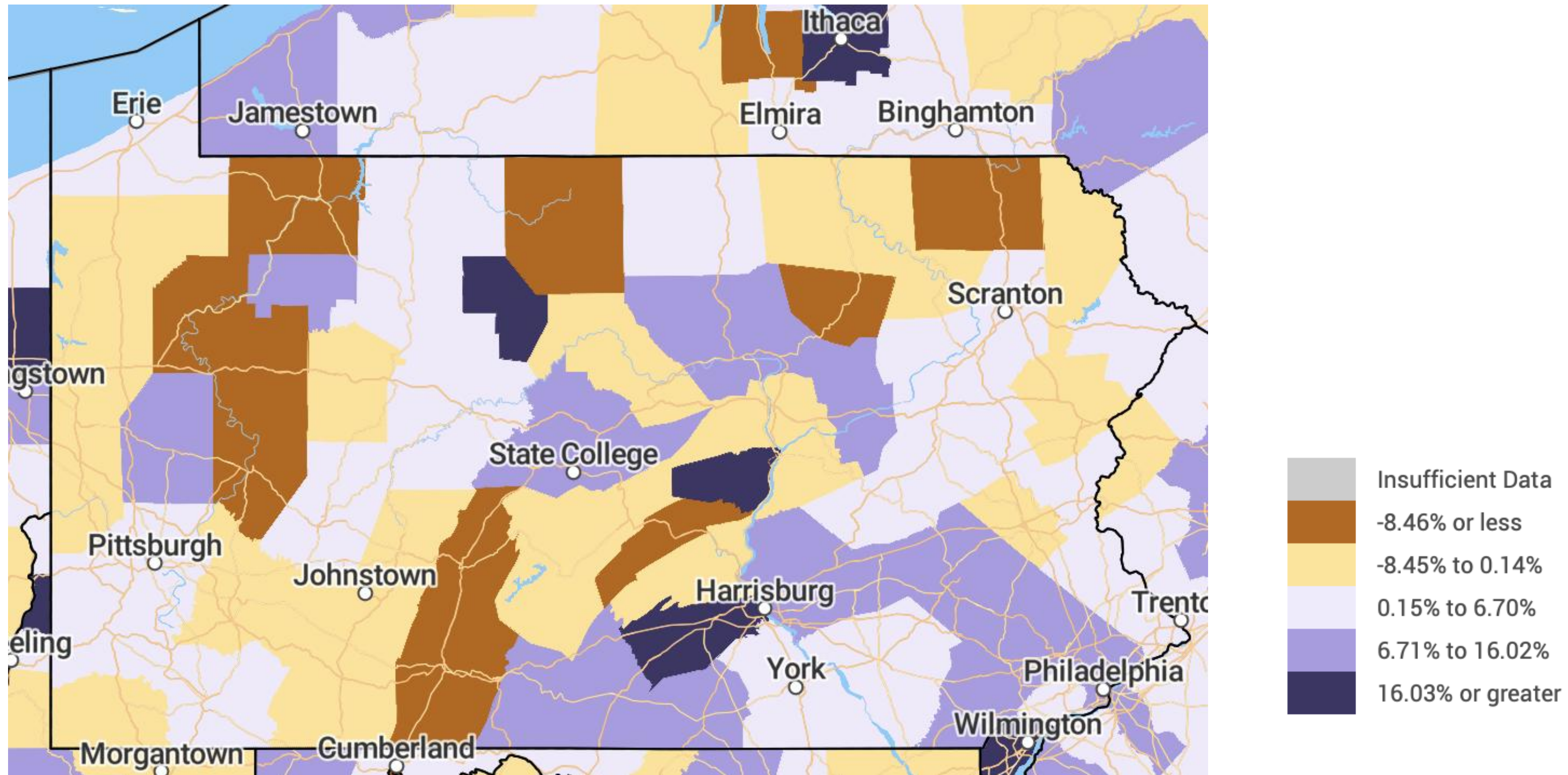
- From 2018 to 2023:
 - Population +1.5%
 - People with Disabilities +3.9%
 - People of Color +28.1%
 - Hispanic or Latine People +20.2%
 - Same Sex Couples +27.7%
 - People Born Outside of the United States and its Territories +11%

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



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November 2025



Resources

- Posters, Brochures, and Booklets
- Professional Development



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November 2025



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



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November 2025



Funding Opportunities

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

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November 2025



Request Digital Copies

- Migration Data Report and Spreadsheet
- Fair Housing Toolkit

Jessica Aviva, Ph.D.
drjessaviva@gmail.com





Questions