

TOP TEN TIPS ON HUD'S FAIR HOUSING INVESTIGATIONS

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1. HUD enforces Title VIII of the Fair Housing Act, which prohibits discrimination on the basis of race, color, national origin, disability, religion, familial status, and sex. HUD also investigates fair housing complaints under other federal laws, when they involve recipients of federal funding. These laws include: Section 504 of the Rehabilitation act of 1973, Title II of the Americans with Disabilities Act of 1990, and Title VI of the Civil Rights Act of 1964. Understand that state or local laws may also prohibit housing discrimination on other bases, including sexual orientation, gender identity, marital status or lawful source of income. **ALWAYS CHECK BOTH FEDERAL AND STATE/LOCAL FAIR HOUSING LAWS FOR COVERAGE.**
2. After a fair housing complaint is filed with HUD, HUD's Office of Fair Housing and Equal Opportunity (FHEO) [or the state/local fair housing agency, such as the New Jersey Division on Civil Rights or New York State Division of Human Rights] will send a written notification and complaint to the named respondents. **PLEASE REVIEW THE COMPLAINT AND PREPARE A WRITTEN RESPONSE ASAP.**
3. Complaints filed with HUD may be investigated either by HUD or by the state or local agency (such as the New Jersey Division on Civil Rights or New York State Division of Human Rights, depending on the nature of the case.) **SOME CASES WILL BE INVESTIGATED BY BOTH BY HUD AND THE STATE/LOCAL AGENCY.**
4. FHEO attempts to complete its Title VIII fair housing complaint investigations with all deliberate speed, which is generally within 100 days. Therefore, **PLEASE RESPOND TO ALL REQUESTS FOR INFORMATION QUICKLY.**
5. Persons represented by counsel or other parties may be required to complete and sign a **DESIGNATION OF REPRESENTATIVE FORM.**
6. HUD will request information from the respondents and complainants in all cases under investigation. **PLEASE PROVIDE A WRITTEN RESPONSE TO HUD'S DATA REQUEST WITHIN THE SPECIFIED TIMEFRAME.**
7. Individuals who file complaints alleging disability discrimination may be required to complete a HIPAA RELEASE FORM so that HUD may speak with medical or health professionals regarding the individual's allegations of disability. HUD will not contact health care providers without a signed HIPAA form on file. **A FAILURE TO PROVIDE A HIPAA RELEASE FORM MAY MAKE IT IMPOSSIBLE TO INVESTIGATE ISSUES REGARDING DISABILITY.**
8. No parties are permitted to review the evidence gathered by HUD during the course of an investigation. **HUD WILL NOT SHARE THE INVESTIGATIVE FILE DURING THE FAIR HOUSING INVESTIGATION.**
9. Consider conciliation. Federal laws require that HUD attempt conciliation in all cases. To resolve the complaint quickly, avoid legal fees, and minimize disruption to your organization, **ATTEMPT TO CONCILIATE.**
10. When an investigation has concluded, HUD issues its conclusion as either a determination or a letter of findings, depending upon the relevant law that has allegedly been violated. **MOST CASES RESULT IN A FINDING OF REASONABLE CAUSE OR FINDING OF NO REASONABLE CAUSE.**

BONUS TIP: Call FHEO at any time for Technical Assistance at **(800) 496-4294.**