

## RENTAL HOUSING IN MAINE FAIR HOUSING AND HOUSING-RELATED SERVICES

***“If I believe I have been illegally discriminated against, what can I do?”***

### **Fair Housing**

You have a right to fair housing. Fair housing means landlords cannot refuse to show or rent housing or impose different terms or conditions on the basis of race, color, religion, gender, sexual orientation, gender identity or expression, national origin, ancestry, age, disability, familial status or the receipt of any kind of public assistance.

This applies to all housing offered for rent, such as apartments and single-family homes, except certain owner-occupied dwellings (a unit in a two-family dwelling or a one-family dwelling with 4 rooms or less) and dwellings owned or operated by a religious organization for other than commercial purposes and rented to its members unless restricted because of race, color or national origin.

Generally, landlords cannot ask about a tenant's or applicant's race, color, religion, gender, sexual orientation, gender identity or expression, national origin, ancestry, disability, or familial status. Certain exceptions apply with respect to disability and families with children.

### **Persons with Disabilities**

Persons cannot be denied housing based on disability, but housing can be limited to persons with disabilities, and to qualify, tenants and applicants can be asked if they have a disability.

A landlord must make reasonable accommodations in rules, policies, practices or services as necessary to give a person with a disability equal opportunity to use and enjoy a dwelling. A person with a disability or someone on the person's behalf must let the landlord know the person needs the change. If the person's disability or need for the change is not obvious, the landlord can require verification from a qualified health care or service provider, but cannot ask about the nature of the person's disability. A landlord can refuse to make an accommodation that causes an undue financial burden or administrative burden. Learn more at <https://www.hud.gov/sites/dfiles/FHEO/documents/huddojstatement.pdf>

Landlords must make or allow a person with a disability to make reasonable modifications to the person's dwelling. Unless the dwelling or housing in which it is located receives state or federal assistance or does not have the accessible features required by applicable accessibility laws, the tenant may have to pay for the modification and the maintenance and repair of the modification and may be required to restore the dwelling to its original condition before the modification when the tenant leaves. The landlord is not required to pay for a modification that will cause an undue financial burden or administrative burden. Learn more at [https://www.hud.gov/sites/dfiles/FHEO/documents/reasonable\\_modifications\\_mar08.pdf](https://www.hud.gov/sites/dfiles/FHEO/documents/reasonable_modifications_mar08.pdf)

Landlords must allow a person with a disability to have an assistance animal unless the assistance animal is unsafe or overly disruptive. An assistance animal is any animal (not just a dog) that provides relief from the effects of a disability (such as emotional support or comfort) or performs a specific task to assist a person with a disability. An assistance animal is not a pet, so “no pets” policies do not apply. The landlord can ask for verification of the person’s disability and the need for the assistance animal, unless it is obvious, and for evidence that the assistance animal has been prescribed or trained. This requirement does not apply to two-family dwellings if one unit is owner-occupied.

## **Families**

Certain housing specifically designated for seniors can exclude families with children. This is limited to housing that is only occupied by persons 62 or older or housing that is intended for and occupied by households with at least one person 55 or older. It does not include federally-assisted elderly housing, such as Section 8 housing or other housing funded by HUD or Rural Development, which must allow children if the household otherwise qualifies.

The number of occupants in a dwelling may be restricted if reasonable, based on certain factors such as the size and capacity of the dwelling, the size and number of bedrooms in the dwelling, the number, age, sex and relationship of the household members, and consistency with federal, state or local occupancy requirements. Generally, two persons per bedroom is reasonable, but not always. Limits should not be based on the number of children.

## **Limited English Proficiency**

Landlords of federally-assisted housing must make reasonable efforts to provide language assistance to tenants and applicants with Limited English Proficiency (sometimes referred to as LEP) to ensure they have meaningful access to housing. A person with Limited English Proficiency is a person who, as a result of national origin, does not speak English as their primary language and who has a limited ability to speak, read, write or understand English. A person who is bilingual is not a person with Limited English Proficiency.

## **Who do I Contact?**

If you want more information or feel you have been discriminated against, please contact:

Office of Fair Housing and Equal Opportunity  
United States Department of Housing and  
Urban Development (HUD)  
10 Causeway Street, Room 321  
Boston, Massachusetts 02222-1092  
617-994-8300 (voice), 1-800-827-5005 (voice)  
or 617-565-5453 (TTY)

Maine Human Rights Commission  
State House Station 51  
Augusta, Maine 04333  
207-624-6290(voice) or  
Maine Relay 711 (TTY);  
Fax: 207/624-8729

Learn more about federal law on HUD’s Website:

[https://www.hud.gov/program\\_offices/fair\\_housing\\_equal\\_opp](https://www.hud.gov/program_offices/fair_housing_equal_opp)

Learn more about state law on the Maine Human Rights Commission's Website:  
<http://www.maine.gov/mhrc/guidance/index.htm>

## **Legal Resources**

**Pine Tree Legal Assistance:**  
[www.ptla.org](http://www.ptla.org)

Augusta, 39 Green Street  
Tel: 207-622-4731 or Maine Relay 711

Bangor, 115 Main Street  
Tel: 207-942-8241 or Maine Relay 711

Lewiston, 95 Park Street  
Tel: 207-784-1558 or Maine Relay 711

Machias, 13 Cooper Street  
Tel: 207-255-8656 or Maine Relay 711

Portland, 88 Federal Street  
Tel: 207-774-8211 or Maine Relay 711

Presque Isle, 373 Main Street  
Tel: 207-764-4349 or Maine Relay 711

Farmworker & Native American Units  
Bangor  
Tel: 207-942-0673

**Disability Rights Center**  
[www.drcme.org](http://www.drcme.org)  
1-800-452-1948 (voice/TTY)

## **MaineHousing's Nondiscrimination Policy**

Maine State Housing Authority ("MaineHousing") does not discriminate on the basis of race, color, religion, sex, sexual orientation, gender identity or expression, marital status, national origin, ancestry, physical or mental disability, age, familial status or receipt of public assistance in the admission or access to or treatment in its programs and activities. In employment, MaineHousing does not discriminate on the basis of race, color, religion, sex, sexual orientation, gender identity or expression, national origin, ancestry, age, physical or mental disability or genetic information. MaineHousing will provide appropriate communication auxiliary aids and services upon sufficient notice. MaineHousing will also provide this document in alternative formats upon sufficient notice. MaineHousing has designated the following person responsible for coordinating compliance with applicable federal and state nondiscrimination requirements and addressing grievances: Karen Stonebraker, Maine State Housing Authority, 26 Edison Drive, Augusta, Maine 04330-4633, Telephone Number 1-800-452-4668 (voice in state only), (207) 626-4600 (voice), Maine Relay 711 or Email: [EqualAccess@mainehousing.org](mailto:EqualAccess@mainehousing.org)