

# South Carolina Human Affairs Commission

## Technical Services and Training Division



# Prevention Corner



*An ounce of Prevention is Worth a Pound of Cure.*

~Benjamin Franklin

**April 2023**

South Carolina  
Human Affairs  
Commission  
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Columbia, SC 29201

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<https://schac.sc.gov/>

The South Carolina Human Affairs Commission strives to alleviate problems of discrimination through the enforcement of the SC Human Affairs Law (including the SC Pregnancy Accommodations Act and the SC Lactation Support Act.), the SC Fair Housing Law, the SC Equal Enjoyment and Privileges to Public Accommodations Law

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## Sexual Harassment in Housing: Hostile Environment

Sexual harassment by housing providers is illegal under the Fair Housing Act and other federal laws. According to the U.S. Department of Housing and Urban Development (HUD) these laws prohibit harassment because of race, color, religion, national origin, sex, familial status, or disability.

### What is Hostile Environment Sexual Harassment?

Hostile environment harassment occurs when a housing provider subjects a person to severe or pervasive unwelcome sexual conduct that interferes with the sale, rental, availability, or terms, condition, or privileges of housing or housing-related services, including financing.

### Examples:

- A landlord subjects a tenant to severe or pervasive unwelcome touching, kissing, or groping without consent.
- A property manager makes persistent unwelcome and lewd comments about a tenant's body.
- A maintenance staff member sends a tenant sexually suggestive text messages and enters the tenant's apartment without invitation or permission.

### The Sexual Harassment in Housing Initiative

The Sexual Harassment in Housing Initiative is an effort to combat sexual harassment in housing led by the Civil Rights Division of the U.S. Department of Justice.

### Goal of the Initiative

The goal of the Initiative is to address sexual harassment by landlords, property managers, maintenance workers, loan officers or other people who have control over housing.

For more information about the work of the U.S. Department of Justice-Sexual Harassment in Housing Initiative, [read press releases, articles, and information about recent cases.](#)

Source: [Sexual Harassment in Housing Initiative \(justice.gov\)](#); [Sexual Harassment | HUD.gov / U.S. Department of Housing and Urban Development \(HUD\)](#)

### How can I schedule training?

(803) 737-7800 or (800) 521-0725, Relay 711

email: [training@schac.sc.gov](mailto:training@schac.sc.gov)

## 2 THINGS

WE'RE  
TALKING  
ABOUT

# HOT TOPICS

## 1

**Myth:** Advertisements for housing are subject to less stringent Fair Housing requirements when placed online or on social media.

**Fact:** Not true. Discriminatory housing advertisements are illegal under the Fair Housing Act and other federal civil rights laws even on social media and online platforms.

### Fair Housing in the Digital Age

According to the National Fair Housing Alliance, when the Fair Housing Act (FHA) was written in 1968, we could not have anticipated how technology would change and impact advertising practices. **Today, a lot of advertising happens with the click of a finger.**



Whether through rental websites, social media, or new phone applications, it is important to note that Section 804(c) of the FHA makes it illegal “to make, print, publish, or cause to be made, printed, or published, any notice or statement with respect to the sale or rental of a dwelling that indicates any preference, limitation, or discrimination based on race, color, religion, national origin, sex, disability, or familial status.”

**This includes advertising on web-based platforms. If you are advertising online, understand that including or excluding certain audiences or neighborhoods in the settings of your advertisements could be discriminatory.**

**Find more information at:** [Responsible Advertising: Understanding the Impact of the Fair Housing Act on Advertising - NFHA \(nationalfairhousing.org\)](https://www.nationalfairhousing.org/responsible-advertising)

### What Is Prohibited?

In nearly all housing, including private housing, public housing, and housing that receives federal funding, the Fair Housing Act prohibits the making, printing, and publishing of advertisements that indicate a preference, limitation or discrimination because of race, color, religion, sex (including gender identity and sexual orientation), disability, familial status, or national origin.

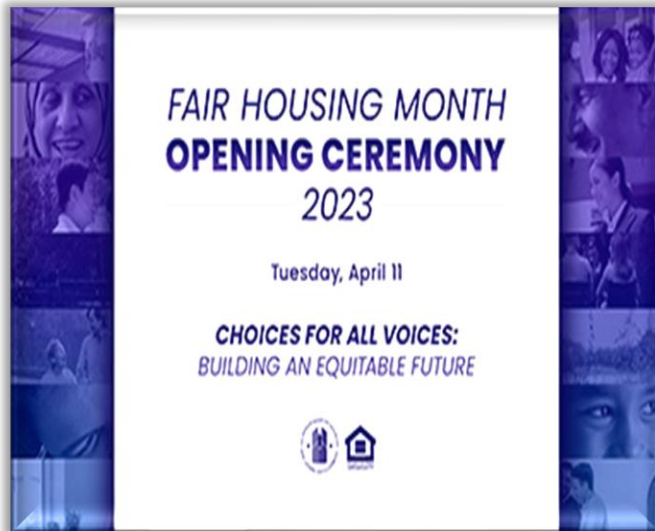
The prohibition applies to publishers, such as newspapers and directories, as well as to persons and entities who place real estate advertisements in newspapers **and on websites**. It also applies where the advertisement itself violates the Act, even if the property being advertised may be exempt from the provisions of the Act.

**Read the entire article at:** [Advertising and Marketing | HUD.gov / U.S. Department of Housing and Urban Development \(HUD\)](https://www.hud.gov/real-estate/advertising-and-marketing)

**Source:** [Responsible Advertising: Understanding the Impact of the Fair Housing Act on Advertising - NFHA \(nationalfairhousing.org\)](https://www.nationalfairhousing.org/responsible-advertising)



## April is National Fair Housing Month!



This year, we commemorate the **55th anniversary of the passage of the Fair Housing Act**, the landmark civil rights law signed by President Lyndon B. Johnson on April 11, 1968, that made discrimination in housing transactions unlawful.

The Fair Housing Act prohibits discrimination in housing because of race, color, national origin, religion, sex (including gender identity and sexual orientation), disability, and familial status.

For more information about your fair housing rights, visit HUD's Office of Fair Housing and Equal Opportunity (FHEO) website. [FHEO's website](#)

Source: [Fair Housing Month | HUD.gov / U.S. Department of Housing and Urban Development \(HUD\)](#)

ASK  
SCHAC

**Answers to your questions about Pregnancy Discrimination and Lactation Support Laws.**

### Are there housing protections for pregnant women and families with children?

**Yes.** With the Fair Housing Amendment Act of 1968, Congress added "familial status" to the list of federally protected classes under the Fair Housing Act.

Under the familial status protections, the Fair Housing Act, prohibits discrimination against families with children under the age of 18, pregnant women, and people securing custody of children under the age of 18 in housing.

Source: [Familial Status & Occupancy Standards - Housing Protections for Families with Children: Policy Issue | National Apartment Association \(naahq.org\)](#)



**\*\*Please Note:** This newsletter is not intended to be used as legal advice

## PREVENTION CORNER

### Best Practices for Housing Providers

1. Adopt policies against sexual harassment.
2. Develop processes for applicants and tenants to report sexual harassment.
3. Educate employees, contractors, residents, and applicants about these policies and the Fair Housing Act.
4. Enforce these policies against employees, residents, and contractors who engage in sexual harassment.

*This information is provided by the U.S. Department of Housing and Urban Development.*

Source: [QANDASEXUALHARASSMENT.PDF \(hud.gov\)](#)

**EEO laws are designed to protect the rights of ALL individuals.**

**If you feel like you have experienced discrimination,  
contact us for help.**

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**The mission of the South Carolina Human Affairs Commission is to  
Prevent and Eliminate Unlawful Discrimination in Employment, Housing,  
and Public Accommodations.**



**Full Time Position Available**

**Agency Head**

(Chief Administrative Officer/Commissioner)



**For more details about these positions:**

Please visit [www.careers.sc.com](http://www.careers.sc.com) and search “State Human Affairs Commission” in the search bar.

**or**

Click on the link below

[Agency Head | Job Details tab | Career Pages \(governmentjobs.com\)](#)

**or**

Visit [www.linktr.ee/schacomm](http://www.linktr.ee/schacomm)