



## SOUTH CAROLINA HUMAN AFFAIRS COMMISSION TECHNICAL SERVICES & TRAINING DIVISION

APRIL 2024

# PREVENTION CORNER



## April is National Fair Housing Month!

This year, the U.S. Department of Housing and Urban Development will commemorate the 56th anniversary of the passage of the Fair Housing Act of 1968, that made discrimination in housing transactions unlawful. This year's Fair Housing Month theme is *"Fair Housing: The 'Act' in Action."* For more information about your fair housing rights, visit [FHEO's website](#).

### Fair Housing: Who is Protected?

The Fair Housing Act prohibits discrimination in housing because of:

- Race
- Color
- National origin
- Religion
- Sex (including gender identity and sexual orientation)
- Disability
- Familial status

### South Carolina Fair Housing Law

South Carolina's fair housing law was passed in 1989. It is administered by the South Carolina Human Affairs Commission and modeled after the federal Fair Housing Act of 1968.

### What type of housing is covered under this law?

Apartments, single-family homes, mobile homes, townhomes, homeless shelters, nursing homes, condos, college dorms, and vacant lots to be used for housing, are covered by the Fair Housing Law. With a few exceptions, anyone who has control over residential property and real estate financing must obey the law.

Source: [Fair Housing Month | HUD.gov / U.S. Department of Housing and Urban Development \(HUD\)](#); <https://schac.sc.gov/housing-discrimination>; [Housing Discrimination Under the Fair Housing Act | HUD.gov / U.S. Department of Housing and Urban Development \(HUD\)](#)



## **The National Sexual Violence Resource Center will commemorate the start of the 23<sup>rd</sup> Anniversary of Sexual Assault Awareness Month (SAAM) in April.**

The goal of sexual assault awareness month is to raise public awareness about sexual violence and educate communities on how to prevent sexual assault, sexual harassment, and sexual abuse.

### **Building Connected Communities Campaign**

The campaign uplifts the role of inclusive, equitable, and connected communities in reducing sexual abuse, assault, and harassment.

### **About Sexual Assault**

According to the National Sexual Violence Resource Center, sexual violence happens in every community and affects people of all genders and ages. Sexual violence is any type of unwanted sexual contact.

This includes words and actions of a sexual nature against a person's will and without their consent. A person may use force, threats, manipulation, or coercion to commit sexual violence.

#### ***Forms of sexual violence include:***

- Rape or sexual assault
- Child sexual assault and incest
- Sexual assault by a person's spouse or partner
- Unwanted sexual contact/touching
- Sexual harassment
- Exposing one's genitals or naked body to other(s) without consent
- Nonconsensual image sharing

Source: [Sexual Assault Awareness Month \(SAAM\) \(nsvrc.org\)](https://www.nsvrc.org/); <https://www.nsvrc.org/about-sexual-assault>

# Sexual Harassment in Housing is Illegal

## What Is Sexual Harassment?

Sexual harassment in housing is a form of sex discrimination prohibited by the Fair Housing Act.

There are two main types of sexual harassment:

1. *Quid Pro Quo* sexual harassment
2. *Hostile Environment* sexual harassment

### Quid Pro Quo

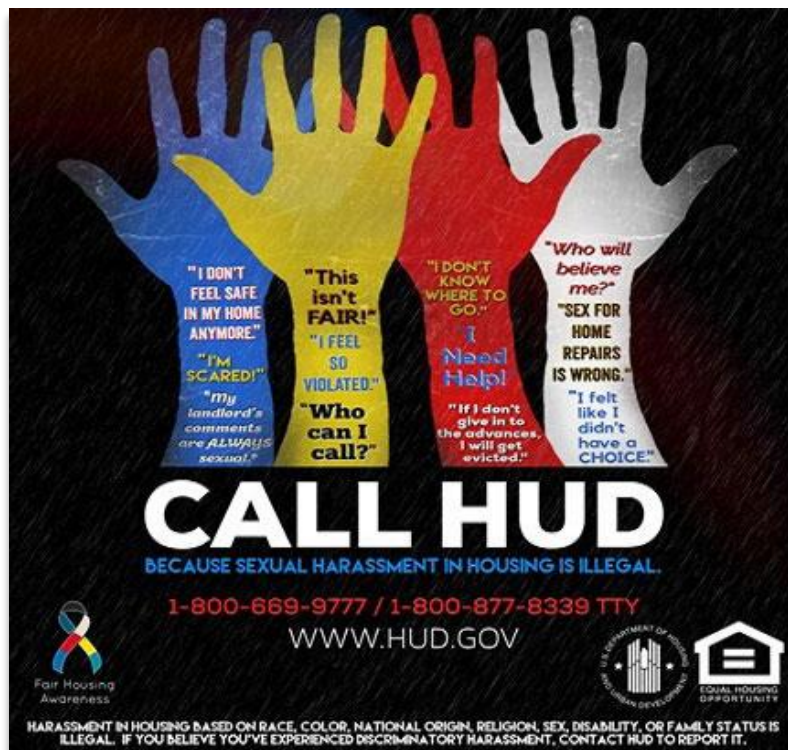
Quid pro quo harassment occurs when a housing provider requires a person to submit to an unwelcome request to engage in sexual conduct as a condition of obtaining or maintaining housing or housing-related services.

**Example:** A property manager evicts a tenant after he/she refuses to perform sexual acts.

### Hostile Environment

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, conditions, or privileges of housing or housing-related services, including financing. For example:

**Example:** A landlord subjects a tenant to severe or pervasive unwelcome touching, kissing, or groping.



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

## Does the Fair Housing Act protect women who are pregnant?

The Fair Housing Act prohibits discrimination in housing against families with children under 18 years, persons who are pregnant, or in the process of obtaining legal custody, or persons with written permission of the parent or legal guardian.

### Examples of Familial Status Discrimination

*Examples of familial status discrimination include:*

- Refusing to rent to families with children.
- Evicting families once a child joins the family through, example - birth, adoption, custody.
- Advertising that prohibits children.

Source: [Discrimination Against Families with Children | HUD.gov / U.S. Department of Housing and Urban Development \(HUD\)](#)

## PREVENTION CORNER

### \*Resources & Tools\*

#### Fair Housing Laws

**Fair Housing rights and protections are provided under:**

- Title VI of the Civil Rights Act of 1964
- The United States Fair Housing Act of 1968, as amended in 1988
- Section 504 of the Rehabilitation Act of 1973 (*found at 24 CFR Part 8*)
- The Americans with Disabilities Act (ADA) of 1990
- The South Carolina Fair Housing Law

**Enforcement is provided by:**

- South Carolina Human Affairs Commission
- United States Department of Housing & Urban Development (HUD)
- U.S. Department of Justice (DOJ)

Source: U.S. Department of Housing and Urban Development; S.C. Human Affairs Commission

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



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

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

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**South Carolina Human Affairs Commission  
1026 Sumter St., Suite 101  
Columbia, SC 20201**

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



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

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, and the SC Equal Enjoyment and Privileges to Public Accommodations Law.