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[/ Discrimination Against Families with Children](#)

## **DISCRIMINATION AGAINST FAMILIES WITH CHILDREN**

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

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### **What Is Prohibited?**

Under the Fair Housing Act, housing providers may not discriminate because of familial status.

The Act provides an exemption from familial status discrimination for “housing for older persons”  
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housing facilities and communities. The Act also does not limit the applicability of reasonable local, state, or federal restrictions regarding the maximum number of occupants permitted to occupy a dwelling.

## Who Is Protected?

Familial status covers:

- families with children under the age of 18,
- pregnant persons, and
- any person in the process of securing legal custody of a minor child (including adoptive or foster parents).
- 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, e.g., birth, adoption, custody
- Requiring families with children to live on specific floors or in specific buildings or areas
- Imposing overly restrictive rules about children's use of the common areas (e.g., pools, hallways, open spaces)
- Advertising that prohibits children

## Filing a Complaint

If you believe you have experienced discrimination in housing because of familial status,

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you can file a complaint  
(/program\_offices/fair\_housing\_equal\_opp/online-complaint)with HUD.

## Additional Resources

Fair Housing Enforcement –  
Occupancy Standards (“Keating  
Memorandum”)  
(/sites/documents/DOC\_7780.PDF)

Housing for Older Persons  
(/program\_offices/fair\_housing\_equal\_opp/fair\_housing\_act\_housing\_olde

Memorandum on the Fair  
Housing Act and Lead-Based  
Paint  
(/sites/documents/LEADBASEDMEMO.PDF)

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## Agency

## Resources

### U.S. Department of Housing and Urban Development

451 7th Street, S.W., Washington, DC 20410  
T: 202-708-1112  
TTY: 202-708-1455

Find a HUD office near you (/localoffices)



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