

LGBT Welcoming Housing Self-Advocacy Tips

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SAGE's National LGBT Housing Initiative (NHI) is dedicated to providing information that helps LGBT elders and allies make informed decisions when it comes to housing. We work to build and replicate LGBT-welcoming housing, advocate for inclusive policies, and train providers in cultural competency. We also want to support you in your own self-advocacy. The following series of three fact sheets is designed to provide you with education, self-advocacy tips and resources.

Quick Facts

48% of older LGBT same-sex couples have experienced housing discrimination.¹

Nearly 23% of transgender individuals report experiences with housing discrimination.²

The majority of states and territories lack explicit laws to prevent LGBT housing discrimination.³

34% of older LGBT people worry they will have to hide their identity in senior housing.³

1 Opening Doors: An Investigation of Barriers to Senior Housing for Same-Sex Couples, Equal Rights Center, 2014.

2 The Report of the 2015 U.S. Transgender Survey, National Center for Transgender Equality, 2016.

3 Equality Maps: State Nondiscrimination Laws, Movement Advancement Project.

To learn more about the work of the SAGE National LGBT Housing Initiative go to:

<https://www.sageusa.org/what-we-do/national-lgbt-housing-initiative-2/>

This series provided by the National LGBT Housing Initiative includes:

Part 1: The Housing Search

Part 2: Housing Discrimination

Part 3: Advocate for Change

PART 1: THE HOUSING SEARCH

One of the most important decisions we make as we age is where we're going to live during our senior years. For LGBT older adults, finding a place that's welcoming and respectful of our identities is a critical aspect of the housing search. Here are some tips to help you find welcoming housing for yourself and for your community.

Personal Interactions and Communication (Landlord etc.)	
Look For Welcoming Signs	Be Aware of these Red Flag
<i>these are indications of a welcoming, respectful environment for LGBT people</i>	<i>these are indications of a welcoming, respectful environment for LGBT people</i>
<p>Affirming Language and Messaging</p> <p>When a person refrains from making assumptions about you and/or mirrors the language you use, it indicates that they're listening and they respect you.</p> <ul style="list-style-type: none"> • You mentioned your partner. Will your partner be living with you? • Will you be moving in with another person? • What other family members will be residing in the apartment? <p>You may also hear someone make encouraging remarks such as:</p> <ul style="list-style-type: none"> • We have many diverse families here, which is something we value in our community. 	<p>Disrespectful Language and Messaging</p> <p>You can learn a lot from a seemingly casual conversation. Listen carefully when speaking with a landlord or other housing representative to pick up clues about their attitude toward LGBT people.</p> <p>They may make assumptions about you or ask inappropriate questions, such as:</p> <ul style="list-style-type: none"> • Will your husband be joining us today? • So, you two are roommates? • Are you a man or a woman? <p>They may also make statements that clearly reveal bias, such as:</p> <ul style="list-style-type: none"> • We believe strongly in family values, so we don't approve of alternative lifestyles.
<p>Inclusive Paperwork and Forms</p> <p>If an intake form reflects LGBT identities, there is a good chance the agency is actively thinking about equity and safety for LGBT tenants. In this case, forms may include things like:</p> <p>Marital Status: <input type="checkbox"/> Single <input type="checkbox"/> Married <input type="checkbox"/> Partnered <input type="checkbox"/> Separated <input type="checkbox"/> Other</p> <p>Gender Identity: <input type="checkbox"/> Female <input type="checkbox"/> Male <input type="checkbox"/> Transgender <input type="checkbox"/> Other <input type="checkbox"/> Prefer not to disclose</p>	<p>Non-Inclusive Paperwork and Forms</p> <p>Many standard applications and intake forms erase LGBT identities by asking questions like:</p> <p>Marital Status: <input type="checkbox"/> Single <input type="checkbox"/> Married</p> <p>Sex: <input type="checkbox"/> Male <input type="checkbox"/> Female</p> <p>While the use of such forms is not usually intended to exclude people, it may indicate that the agency hasn't given much thought to LGBT people and/or hasn't taken steps to be inclusive.</p>

It's also a good idea to find out about the superintendent and other individuals you will be interacting with on a regular basis. There are a number of ways you might go about this:

- You could ask the **landlord**, *“How does the superintendent, property management, or security team interact with tenants? What are the tenants’ relationships with these people?”*
- If you have the chance to speak with **other tenants**, you could ask, *“What is your relationship with the superintendent, property management, or security team? Do you have a trusting and positive relationship with the team?”*
- If you are working with a **management company** instead of an individual landlord or family, you should feel free to inquire about these people as well as the landlord.

Quick Tip: If you are in the market for rental housing, check online to see if there is a local landlord database flagging problematic landlords, such as the New York City Annual Worst Landlord Watch List. It might also be useful to check with other LGBT community members for experiences with rental properties, management companies, and landlords.

Working with Housing Providers and Aging Services

Policy Statements on Equity and Inclusion: An agencies nondiscrimination policies should be available to the public. Check websites and brochure for policy statements, or ask their customer service representative.

<i>Look for these Welcoming Signs</i>	<i>Be Aware of these Red Flags</i>
<p>A fully inclusive policy would include sexual orientation and gender identity/expression in its list of protected classes (race, religion, etc.)</p> <ul style="list-style-type: none"> • A policy that includes sexual orientation but not gender identity is not fully inclusive, but it's a step in the right direction. • Compare a provider's individual policy to their state regulations (see Part 2) - if they are more inclusive than the law requires, that's a good sign. 	<p>Nondiscrimination policies that don't include sexual orientation or gender identity indicate that a provider likely hasn't done much proactive work around LGBT Inclusion.</p> <ul style="list-style-type: none"> • Most housing providers will state “Equal Housing Opportunity” on their website and printed materials. In many cases this is legally required, and does not necessarily indicate a true commitment to equality.

<p>Policy to Practice: Inclusive policies are important, but you'll also want to pay attention to how those policies are communicated, implemented, and enforced. In some cases, the policy itself may not be inclusive but the provider will demonstrate a clear commitment to equity and inclusivity in other ways.</p>	
<p>Look for these Welcoming Signs</p>	<p>Be Aware of these Red Flags</p>
<p>How do they talk about LGBT aging?</p> <ul style="list-style-type: none"> • When looking at large residential facilities for older adults, take note of whether they clearly articulate their support of LGBT people (on their website, in marketing materials, and/or in conversation). • Look for value statements that clearly reflect a commitment to diversity. • Ideally, their public-facing communications include explicit language affirming LGBT identity and measures they are taking to create a safe and affirming environment. <p>What are they doing to ensure safety amongst tenants, staff, and neighbors?</p> <ul style="list-style-type: none"> • Policies prohibiting discrimination, bullying and harassment should be prominently displayed or communicated to residents. <p>These policies should be uniformly enforced, and there should be specific procedures in place to handle violations.</p>	<p>Silence or lack of diversity statements can mean a range of things, including:</p> <ul style="list-style-type: none"> • Lack of awareness • Lack of cultural competency • Non-affirming environments amongst other residents • Overt discriminatory beliefs and practices <p>Some agencies have policies in place to comply with regulations, but make little effort to enforce them.</p> <p>If residents aren't familiar with a policy, there's a good chance it's not being used in practice.</p> <p>In states that do not have LGBT-specific legal protections, it is especially important to make sure that the place you choose to live is committed to your safety.</p>

Quick Tip: Apply for Affordable Housing Through the Lottery and/ or Waiting Lists System! Get your name on the local affordable housing lottery or waiting list by submitting an application online. The process and eligibility vary by state, but you can find the affordable housing lottery or waiting list information online or call a local housing advocacy organization to help you apply. Find your Affordable Housing office and information at https://www.hud.gov/topics/rental_assistance

Housing Developers

Housing developers are the people who build the housing—quite literally, they are responsible for the brick and mortar.

Take note: are they nonprofit or corporate? This can help to identify whether they were founded with a mission to serve, or as a business.

- If they are a nonprofit, what is the mission and history of the organization? What values does the organization stand for? Can you research reviews and find public comments related to LGBT inclusion?
- What does the developer's portfolio of housing look like? Have they built housing specifically for LGBT communities, or made statements on housing access for LGBT people?



Quick Tip: Look for the SAGECare Credential!

A SAGECare credential indicates that an agency's staff has received cultural competency training from SAGE's certified trainers. SAGECare certification is renewed annually, and indicates a strong commitment to LGBT-affirming practices and culture. Search a list SAGECare providers at www.sageusa.care

PART 2: HOUSING DISCRIMINATION

Unfortunately, housing discrimination is not uncommon. It is important to protect yourself by understanding your rights, knowing how to recognize housing discrimination, and what to do if it happens to you.

Know Your Rights

- It is illegal in the United States to discriminate in the sale or rental of housing and other housing-related activities based on race, color, religion, sex, disability, familial status, or national origin.
- There is currently no national law specifically protecting LGBT people from housing discrimination. However, the Fair Housing Act (see box) does include protection on the basis of sex. This is generally interpreted to mean a person's sex assigned at birth (typically male or female), but there has been ongoing work to establish that "sex" includes protection for transgender people and/or LGB people as well.
- HUD Equal Access Rule: Currently the Federal Department of Housing and Urban Development (HUD) DOES interpret "sex" to include sexual orientation and gender identity. Meaning, that any housing provider that accepts federal funding, has loans insured by the Federal Housing Administration (FHA), or is a lender insured by the FHA **cannot discriminate based on sexual orientation, gender identity, or marital status**. To do so could result in a loss of funding or status.
- **Some states** have passed laws that specifically prohibit housing discrimination based on sexual orientation and/or gender identity, so you may be protected depending where you live. The Movement Advancement Project has detailed, state-by-state information at www.lgbtmap.org/equality-maps/non_discrimination_laws/housing.

Is it Discrimination?

Housing discrimination can take many forms. Here are some common examples:

- *Steering*: Instead of showing you the apartment you asked to see, showing you a different unit based on judgements and assumptions about sexual orientation or gender identity.
- *Difference in Amenities*: Taking you on a tour that is different than other tours and giving you information about building amenities that is different than other applicants based on your actual or perceived identity.
- *Difference in Deposits, Fees, or Specials*: Quoting a higher price to you than other applicants with no justification.

This is not an exhaustive list. If you believe you've been discriminated against, it's best to reach out for help. See a list of options for filing complaints on the following page.

You've Experienced Discrimination: What Can You Do?

- File a complaint with HUD (online or via email, phone or mail): www.hud.gov/program_offices/fair_housing_equal_opp/online-complaint
- Reach out to your local or state Fair Housing Agency: www.hud.gov/program_offices/fair_housing_equal_opp/partners/FHAP/agencies
- Consider reaching out to one or more of the following for additional assistance:
 - City or municipal Commission on Human Rights
 - Local or state Legal Aid Society
 - Local housing rights organizations
 - Your local Public Advocate or Ombudsman
 - The National Fair Housing Alliance: nationalfairhousing.org

Fair Housing 101

There are three arms of the Fair Housing Act:

“Protected Classes” describe who is protected from discrimination. They include Race, Religion, Color, National Origin, Sex*, Familial Status, and Disability.

“Prohibited Activities” describe what discrimination looks like, such as refusing to rent or sell to a person because of their protected class.

“Accessibility” spells out rules for physical access to dwellings for people with disabilities, such as waiving a “no pets” rule for a person with a visual impairment who relies on a service dog.

*see “Know Your Rights” for important information about how “sex” is interpreted

PART 3: ADVOCATE FOR CHANGE

You are your own best advocate, and you can help to create change right in your community! Speak up for your needs and rights, and create a community of support and care for yourself and others. Here are some tips to get you started:

- Know Your Rights: Do some research to find out what legal protections apply to you locally (you can start with the resources listed below.)
- Identify other LGBT people or allies in your community
- Cultivate awareness
 - Do people realize there are LGBT older adults in the community? Do they recognize their specific needs?
 - Share information with friends
 - Talk to community groups
 - Attend local Community Board meetings
 - Speak to your local elected official - *Research their priorities first so you can identify your allies*
- Reach out to and partner with local community institutions such as:
 - LGBTQ Centers
 - Senior Centers
 - Places of worship - *See if they have a public statement on LGBT inclusion*
 - Volunteer or service organizations
 - Wellness or nutrition programs

Need Support? National and Local Resources

- SAGE National LGBT Elder Hotline: 877-360-LGBT (5428)
 - more info at sageusa.org/hotline
- SAGE National Affiliate Network: sageusa.org/sagenet
- LAMBDA Legal Help Desk: lambdalegal.org/helpdesk
- Movement Advancement Project
 - Snapshot - LGBT Equality by State: lgbtmap.org/equality-maps
 - Housing nondiscrimination laws by state: lgbtmap.org/equality-maps/non_discrimination_laws/housing
- National Coalition of Anti-Violence Programs
 - LGBTQ Anti-Violence organizations by state: avp.org/ncavp-members
- The National Fair Housing Alliance nationalfairhousing.org
- HUD Office of Fair Housing and Equal Opportunity:
www.hud.gov/program_offices/fair_housing_equal_opp

SHARING IS CARING! Download and share this series with others.