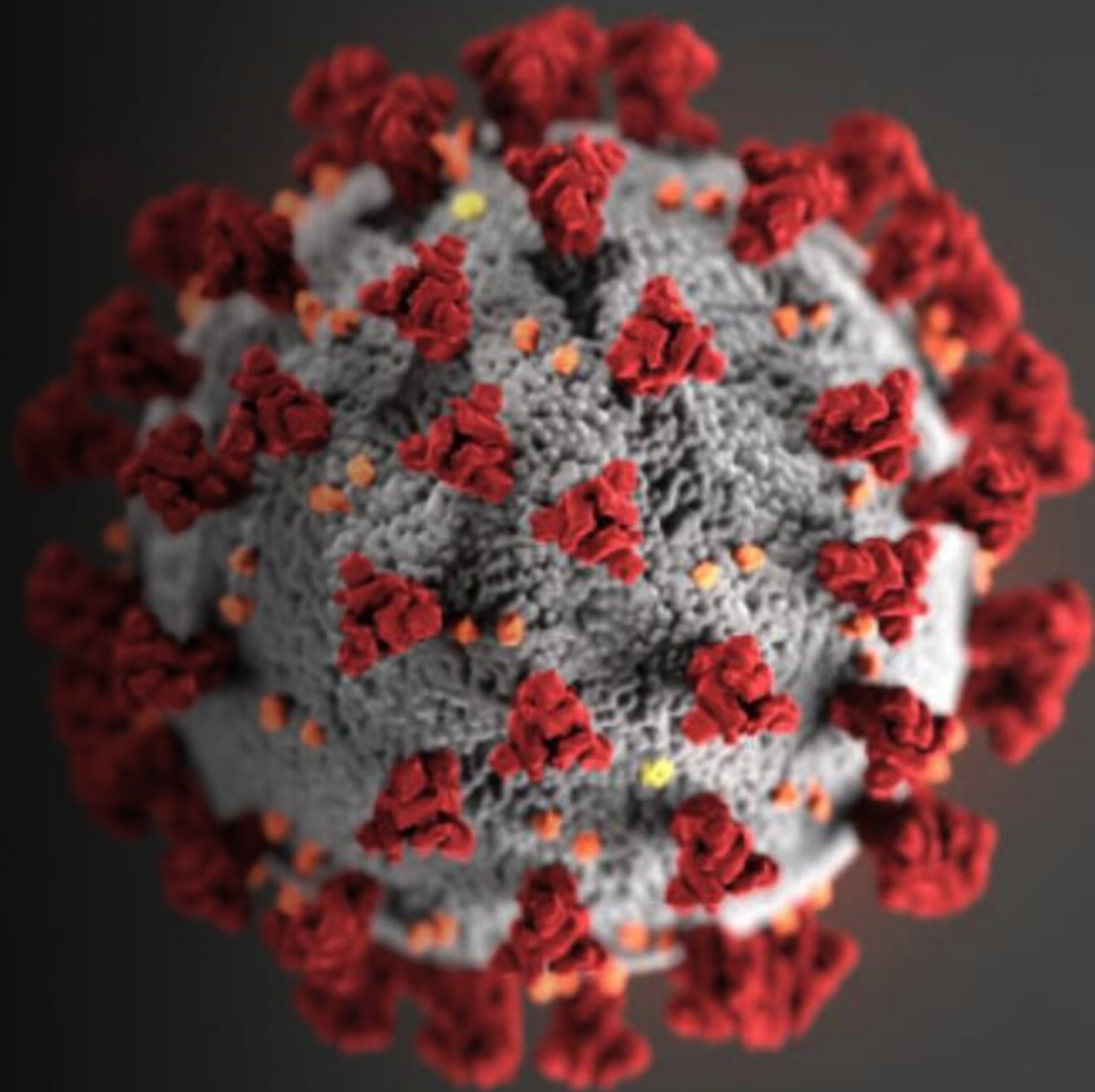




# Fair Housing and COVID

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# U.S. deaths from wars and major pandemics



## United States

Total cases  
32.2M  
+47,430

Recovered  
-

Deaths  
572K  
+479

## Worldwide

Total cases  
148M

Recovered  
85.6M

Deaths  
3.12M


Table 14: ZIP codes in Northern Virginia region where eviction rates, COVID-19 cases, and unemployment insurance claims are higher than 75% of other ZIP codes.

<b>Jurisdiction</b>	<b>ZIP</b>	<b>2019 Eviction Rate</b>	<b>Percent Black</b>	<b>Percent Hispanic</b>	<b>COVID-19 Cases</b>	<b>2020 UI Claims</b>
Prince William County and Woodbridge	22191	12%	31%	31%	2,233	11,026
Fairfax County	22306	10%	20%	36%	1,087	4,670
Fairfax County	22003	6%	7%	27%	1,485	8,007
Alexandria	22304	6%	28%	17%	929	7,428
Dale City	22193	6%	24%	30%	2,023	12,107
Prince William County and Manassas	20109	6%	16%	38%	1,406	6,134
Prince William County and Manassas	20111	6%	9%	36%	1,187	4,752
Loudoun County and Leesburg	20176	5%	8%	18%	1,019	5,091
Fairfax County	20170	5%	8%	31%	1,225	5,294
Fairfax County	22312	5%	27%	24%	780	5,448
Prince William County	22192	5%	23%	18%	1,014	7,700

Source: Virginia Courts, RVA Eviction Lab Analysis

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# **Eviction, Health Inequity, and the Spread of COVID-19: Housing Policy as a Primary Pandemic Mitigation Strategy**

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# Fair Housing Act (FHA)

Prohibits housing discrimination including harassment and intimidation, in housing and related services on the basis of:



DISABILITY



RACE



SEX



COLOR



NATIONAL  
ORIGIN



RELIGION



FAMILY  
STATUS

# Discrimination

- Prohibits discrimination based race, national origin or disability and
  - Exposure to COVID-19
  - Wearing a face mask
  - Repairs
- Reasonable steps to protect but cannot include action based on stereotypes (race, national origin)



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# Retaliation

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- Definition
- FHA prohibits retaliation against anyone for complaining about discrimination or bias-based harassment, or otherwise exercising her rights under fair housing law.
- For example, a housing provider can't evict someone for reporting housing discrimination to a state enforcement agency

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# Disability

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- Persons with disabilities (including those who are older and have underlying medical conditions)
- High risk for a severe, life-threatening response to COVID
- May face unique fair housing and civil rights issues in their housing and related services
- Housing providers are required to make reasonable accommodations that may be necessary to deliver housing and services to persons with disabilities affecting major life activities



# Disability

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- Symptoms: no symptoms, some, life-threatening
- You may believe person with disability is a higher risk; law protects people with disabilities from discrimination
- Can cover someone with symptoms of the COVID
  - Quarantine – avoid activities; short period (may not cover temporary provision)

# Disclose Identity

Test positive

Generally disability related information –  
confidential

State and local obligation to disclose  
information about active cases to residents  
in your building

General notice that active COVID cases in  
the building (no names, unite numbers,  
number of people who are active)

# Reasonable Accommodation

Break lease due to COVID

Amenities

Deny: unreasonable

- Impose undue financial, administrative burden, fundamental alteration of operation
- Amenities – fitness center: could be unreasonable, threat to spread virus, financial and administrative burden to clean and sanitize after each use

# Sexual Harassment

Unable to pay rent  
due to loss of  
income

Repairs

# Protecting status of survivors of domestic abuse

§§ 36-96.2,  
55.1-1203(D),  
55.1-1209(B)

Previously, landlord did not have to consider a person's status as a survivor of domestic abuse when reviewing an application to rent.

Starting July 1, 2020, a landlord **must consider a person's status as a domestic abuse survivor when reviewing a credit score in a report.**

This can be shown through a court order, police report, or a letter from a domestic violence program, housing counselor, or attorney.

If a landlord violates the law, the survivor of domestic abuse can recover actual damages, all amounts paid to the landlord, and attorney's fees.

# Housing providers

Consistency is key

Protective measures prevent the spread of COVID-19

Eviction, rent assistance

Concerns

- Determine steps to mitigate, prevent the risk of transmission