

## DOJ's Initiative to Combat Sexual Harassment in Housing

*Sexual harassment in housing is sex discrimination under the Fair Housing Act, but many people do not know this conduct is illegal or that the U.S. Department of Justice (DOJ) investigates these cases. Individuals may also be reluctant to report the conduct. DOJ's initiative seeks to help residents or applicants experiencing harassment, and those who encounter people experiencing harassment, to quickly and easily connect with DOJ.*



### What does sexual harassment in housing look like?

#### Who might be a victim?

- Applicants
- Tenants
- Housing benefit applicants or recipients
- Loan applicants or recipients

#### Who might be a harasser?

- Landlords
- Building or property managers
- Maintenance workers
- Housing authority employees
- Building security guards
- Loan officers

### What are typical behaviors that might indicate sexual harassment in housing?

- Commenting on victim's body or looks
- Sending sexually suggestive text messages to victim
- Lurking or spying on victim
- Exposing self to victim, showing victim pornography, talking about sex with victim
- Entering victim's home unannounced, without notice or legitimate reason for doing so
- Touching victim without consent
- Conditioning certain housing benefits – for example, renting to the victim, making repairs, excusing a late rent payment – on receipt of sexual favors, including engaging in sexual acts, taking pictures of victim
- Threatening to evict victim if they do not engage in sexual acts or favors

\*These behaviors may constitute sexual harassment even if the victim said "yes", was behind on rent, or has a poor rental or criminal history.

### What questions could I ask to identify sexual harassment in housing?

- Do you feel safe in your current housing situation?
- If you were denied housing or housing benefits, including eviction, what was the reason given to you for the denial? Why do you think you were denied the benefit/housing?
- Is there anything else about your interactions with your housing provider that you think I should know?
- Has your housing provider ever made advances towards you, touched you, etc.?

### **When, why and how to contact DOJ?**

- DOJ enforces federal laws that prohibit sexual harassment in housing.
  - DOJ can bring cases in federal court when a pattern or practice of discrimination has been identified – when one victim has experienced sexual harassment in housing there are usually additional victims.
  - Even if the conduct happened a long time ago, DOJ may still be able to take action.
- You should contact DOJ (or refer the victim to contact DOJ) anytime you hear or receive a complaint of sexual harassment in housing, as soon as you hear or receive that complaint.
  - Email: [fairhousing@usdoj.gov](mailto:fairhousing@usdoj.gov)
  - Phone: 1-844-380-6178
- Federal law prohibits retaliation against any person exercising their fair housing rights.

### **What will happen after DOJ is contacted?**

- DOJ may or may not open an investigation. Even if DOJ can take action, it won't be immediate. You should continue your involvement with the victim.
- DOJ will likely want to talk with the victim and hear their story.
- If DOJ brings a lawsuit, the United States, not the victim, would be the plaintiff. However, DOJ may be able to seek relief on the victim's behalf.
- If you are a legal services provider representing the victim in another legal proceeding, be mindful not to have your client enter into broad release that may affect a potential sexual harassment claim.