

**CIVIL RIGHTS-FAIR HOUSING-EQUAL OPPORTUNITY**  
**APPLICABLE LAWS & REGULATIONS**

**Civil Rights – Fair Housing – Equal Opportunity**  
**That Apply When Using Federal HOME Money**

**THE CIVIL RIGHTS ACT** – Title VI of the Civil Rights Act of 1964 provides that no person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any program or activity receiving Federal financial assistance.

**THE FAIR HOUSING ACT**—Title VIII of the Civil Rights Act of 1968 (Fair Housing Act) prohibits discrimination in housing on the basis of race, color, religion, sex, disability, familial status, or national origin. This law also mandates that you administer your program in a manner that affirmatively furthers fair housing. It was amended in 1988 to affirmatively further fair housing

**SECTION 109, HOUSING & COMMUNITY DEVELOPMENT ACT OF 1974** provides that no person in the United States shall, on the grounds of race, color, national origin, or sex be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity funded in whole or in part with funds made available under Title I of the Housing and Community Development Act of 1974.

**EXECUTIVE ORDERS 11625, 12432, 12138 AND OMB CIRCULAR A-102, Attachment O, Paragraph 9(a)** provide that, you as a grantee, shall take affirmative steps to assure that small and minority businesses are utilized when possible as sources of supplies, equipment, construction and services. Paragraph 9(b) requires that the grantee take similar appropriate affirmative action in support of women's business enterprises.

**SECTION 3 OF THE HOUSING AND URBAN DEVELOPMENT ACT OF 1968, AS AMENDED**, provides that, to the greatest extent feasible, opportunities for training and employment shall be given to lower-income residents in the area in which the project is located. The intent is to harness economic opportunities for low-income households in the neighborhoods where they live. Section 3 applies only to activities involving housing construction, housing rehabilitation or other public construction, with a HOME award of greater than \$200,000 and then only for contracts and subcontracts greater than \$100,000.

**SECTION 504 OF THE REHABILITATION ACT OF 1973, AS AMENDED** provides that no otherwise qualified handicapped individual in the United States, shall solely by reason of his/her handicap be excluded from the participation in, be denied the benefits of, or be discriminated against under any program or activity receiving Federal financial assistance. In order to comply with section 504, it requires housing units of new construction be accessible to persons with disabilities. A minimum of 5 percent of the total dwelling units in a multi-family housing project shall be made accessible for persons with mobility impairments. An additional 2 percent of units in such a project shall be accessible for persons with hearing or vision impairments

**AGE DISCRIMINATION ACT OF 1975, AS AMENDED** provides that no persons in the United States shall, on the basis of age, be excluded from participation in, be denied the benefits, of, or be subjected to discrimination under any program or activity receiving Federal financial assistance. It is not a violation of the Act for a HOME PJ or its housing partner(s) to operate elderly-only housing since the HOME statute permits such housing.

**AMERICANS WITH DISABILITIES ACT (ADA)**. Title II of the Americans with Disabilities Act (ADA) prohibits discrimination against persons with disabilities in all programs, activities, and services of a public entity. The prohibitions against discrimination under Title II of the ADA are essentially the same as those in Section 504, except they apply to all programs, activities, and services of a public entity, not just those funded with Federal financial assistance.

**EXECUTIVE ORDER 11063, as amended by Executive Order 12259** provides that no person in the United States because of race, color, sex, creed or national origin, shall be denied equal opportunity in housing and related facilities owned or operated by the Federal Government or provided with Federal financial assistance.

**EXECUTIVE ORDER 11246** provides that no person shall be discriminated against on the basis of race, color, religion, sex, or national origin in any phase of **employment** during the performance of Federal or federally-assisted construction contracts in excess of \$10,000.

**PROHIBITION OF THE USE OF EXCESSIVE FORCE** – If the recipient is a local government, it shall **adopt and enforce a policy** to prohibit the use of excessive force by law enforcement agencies within their jurisdiction against any individuals engaged in nonviolent civil rights demonstrations and enforce state and local laws against physically barring entrance to or exit from a facility subject to nonviolent civil rights demonstrations.

**IOWA CIVIL RIGHTS ACT OF 1965** This Act mirrors the Federal Civil Rights Act.

**IOWA CODE SECTION 19B.7** This prohibits discriminatory and unfair practices within any program receiving or benefiting from state financial assistance in whole or in part.

**Iowa Code chapter 216** Effective July 1, 2007, the Iowa Civil Rights Act was expanded to add sexual orientation and gender identity to the list of protected classes.