



Religious Discrimination Questions and Answers

The Fair Housing Act prohibits discrimination in housing based upon religion. This prohibition covers instances of overt discrimination against members of a religion and more subtle discrimination, such as zoning ordinances limiting the use of private homes as a place of worship. These housing protections apply to discrimination in the sale or rental of housing, and also apply to the "terms and conditions" of the sale or rental of housing.

Q: Can a housing provider ask about an applicant's religion?

A: No. It is illegal for a housing provider to ask about your religion or lack thereof.

Q: Can a housing provider rent an apartment only to people of his or her own faith?

A: No. It is illegal for a housing provider to impose his or her own religious beliefs on renters. The housing provider cannot give preferential treatment to applicants of his or her own faith over people of other faiths or those who are not religious.

Q: Can a church, temple, or mosque limit residency in its non-for-profit retreat center to its own members?

A: Yes. The Fair Housing Act contains a limited exception that allows non-commercial housing operated by a religious organization to reserve such housing to persons of the same religion.

Q: If a housing provider allows residents to place decorations on their doors, can it prohibit religious decorations?

A: No. If residents are permitted to put decorations on their apartment doors, religious individuals should be able to put religious items or decorations on their doors, such as a Jewish mezuzah or a cross. Any rule that specifically prohibited the display of religious pictures or icons would discriminate on the basis of religion and violate the Fair Housing Act.

Q: If a housing provider has a common room that can be used by residents, can the provider prohibit its use for religious activities?

A: No. When condominiums or apartments have a common room that can be reserved by residents for private activities like parties, clubs, or community activities, residents seeking to hold a religious study group or other private religious activity may not be discriminated against.

Q: Can a housing provider, like a homeless shelter, require residents to attend religious services?

A: No. A rule that requires residents to attend religious services directly affect the terms and conditions of occupancy in violation of the Fair Housing Act. Additionally, the HUD regulations concerning faith-based organizations forbid recipients of federal moneys from requiring residents to participate in these programs.

Q: If a housing provider serves meals, must it accommodate the dietary needs of a resident's religious practices?

A: Yes. This is a service that is provided to residents as part of their housing, therefore the service would be covered by the Fair Housing Act. Refusing to accommodate a person's religious dietary needs sends a message that persons of different religions are not welcome.