

FAIR HOUSING LAW

HOUSING DISCRIMINATION

The federal **Fair Housing Act** makes it illegal to deny housing to a person based on their membership in one or more of the following protected classes:

- Race
- Color
- Religion
- National origin
- Sex
- Familial status
- Disability

Individuals are protected in both the sale and rental of housing. Examples of housing discrimination might include, but is not limited to:

- Refusing to rent, sell, or negotiate with a person for housing
- Discriminatory advertising
- Setting different terms, conditions or privileges for sale or rental of a dwelling or in mortgage lending

If you believe you are a victim of housing discrimination, contact **Legal Aid of North Carolina's Fair Housing Project at 1-855-797-3247**. Your information will be kept confidential.

Resources

Fair Housing

North Carolina Legal Aid – Pittsboro Office

1-866-219-5262

959 East Street, Suite A & B

Pittsboro NC 27312

Fair Housing Project, Legal Aid of North Carolina

1-855-797-8247

Chatham County Legal Aid Services Referral

<http://www.chathamnc.org/residents/county-discrimination-resources>

Housing Quality Issues

Chatham Public Housing Authority

(919) 742-1236

Pittsboro Planning Department

(919) 542-1655

Siler City Code Enforcement Officer

(919) 742-2323

Cary Minimum Housing Inspector

(919) 469-4046

NC Bar Lawyer Referral Service

1-800-662-2007

Minimum Housing Standards and Codes

Pittsboro

https://pittsboronc.gov/vertical/sites/%7B512CE168-4684-4855-9CD9-7D209FE775E3%7D/uploads/chapter_7.pdf

Siler City

https://library.municode.com/nc/siler_city/codes/code_of_ordinances?nodeId=PTIICOOR_CH8BU_ARTIVMI_HOST

Cary

www.townofcary.org/services-publications/housing/minimum-housing

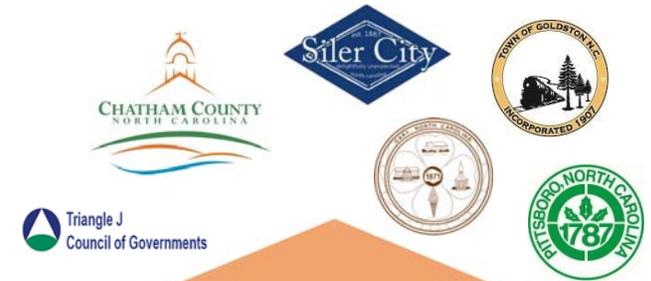
Additional Resources

Chatham Housing Resources website

<http://www.chathamnc.org/residents/affordable-housing-resources>

Tenant Rights Fair Housing & Housing Quality Issues

Chatham County, NC
September 2018



LANDLORD & TENANT RESPONSIBILITIES

Landlord Responsibilities

Maintain the dwelling in a “fit and habitable” state. Landlord must follow building and housing codes, make all repairs, and keep the structure and common areas safe.

Specifically, the landlord must maintain in working order and make repairs in a reasonable amount of time, depending on the severity of the condition:



Electrical



Plumbing



Heat



Sanitation Facilities



Ventilation & Air Conditioning (if provided by landlord)



Smoke & Carbon Monoxide Alarms

Landlord must make repairs immediately if it affects your health and safety.

Tenant Rights and Responsibilities

Keep the unit safe and sanitary, dispose of garbage and debris, prevent damage, and notify landlord if repairs are needed.

Tenants have the right to complain and may sue the landlord if the housing is in unfit condition and the landlord does not make necessary repairs.

Mutual Responsibilities

Landlords must make needed repairs even if a tenant has failed to pay rent. Tenant must continue paying rent even if the home needs repairs.



Landlord



Tenant



Remember: If you pay your rent in cash, make sure to get a receipt. If you have a lease, keep a copy of it.

Landlord/tenant rights and responsibilities are covered in Section 42 of the NC General Statute.

IF YOUR HOME HAS UNSAFE CONDITIONS:

1. **Continue to pay your rent!**



2. **Contact your landlord to make repairs.**



Contact your landlord...

- Contact your landlord in writing and keep a copy for your records: include the date, your address, which repairs are needed, and ask your landlord to make the repairs.
- Give your landlord a reasonable number of days to respond. If they do not respond, notify them again and retain a record.

If you have a repair emergency...

- Call your landlord, tell them you have a repair emergency and ask them to fix the problem.
- You can offer to fix the problem yourself and pay less rent if your landlord agrees: Any agreement must be in writing. Include the date. Try to get someone else to “witness” the agreement. Keep a copy of the agreement. Keep all receipts and records. If you do not have a written agreement, you cannot pay less rent!
- If it is an emergency and you cannot wait for the landlord to approve a written agreement, call him or her and ask if you can make the repairs yourself and deduct the amount from the rent. Try to have a witness present for the phone call. Remember, you should get the agreement in writing before you reduce your rent and they can evict if you do not pay all of the rent without an agreement.

Information provided by Legal Aid of North Carolina

IF YOUR LANDLORD IS UNRESPONSIVE...

1. **If you have a housing voucher, contact the Chatham Housing Authority** at (919) 742-1236 or file a written complaint.

Written complaints should be directed to:
Jo Ann J. Davis, Executive Director
Chatham County Housing Authority
Post Office Box 571
Siler City, North Carolina 27344

2. **Call the Town or City to enforce the jurisdiction’s minimum housing code.**

- **If you live in Siler City**, contact the Siler City Code Enforcement Officer at (919) 742-2323.
- **If you live in Pittsboro**, contact the Pittsboro Planning Department at (919) 542-1655.
- **If you live in Cary**, contact the Cary Minimum Housing Inspector at (919) 469-4046.
- Currently, Goldston and unincorporated areas of Chatham County do not have minimum housing codes.

Ask for a copy of the inspection. Keep copies of all documents that are given to you.

Remember: if your unit has serious unsafe conditions, it may be condemned and you may have to move.

3. **Contact an attorney.**

- If you do not have an attorney you may request legal assistance by contacting the **NC Bar Attorney Referral Service** at 1-800-662-2007 or through **Chatham County’s Legal Aid Services Referral** online at: <http://www.chathamnc.org/residents/county-discrimination-resources>
- Work with an attorney to find out if you are eligible to file a Small Claims suit against the landlord, which may allow you to withhold part of next month’s rent payment to cover your costs for repairs you made or to compensate you for the reduced value of your unit.

Remember: you have no right to withhold rent unless a judge orders otherwise, even if the landlord has failed to keep their obligations. If you hold back the rent, you risk being evicted. Contact an attorney first.