

# Fair Housing Complaint Process

“It is the policy of the State of Nebraska that there shall be no discrimination in the acquisition, ownership, possession or enjoyment of housing throughout the State of Nebraska in accordance with Article 1, Section 25, of the Constitution of the State of Nebraska.”

Legislative Bill 825 was enacted in 1991 (effective September 6, 1991), repealing the housing provision of the Nebraska Civil Rights Act of 1969 and establishing the Nebraska Fair Housing Act.

The Nebraska Fair Housing Act makes discrimination based on race, color, religion, sex, national origin, familial status and handicap (disability) illegal in connection with the sale or rental of most housing and any vacant land offered for residential construction use.

## You Have A Right To File A Complaint If:

- 1. you are denied the right of purchase, rental or are otherwise discriminated against when dealing with a person regarding housing.
- 2. you are discriminated against in the conditions or terms of sale, rental or occupancy of housing;
- 3. housing is falsely denied as being available;
- 4. advertising regarding housing is discriminatory.
- 5. blockbusting is used (causing someone to sell or rent by telling him that members of a minority group are moving into the area);
- 6. a bank, savings and loan association, or other businesses related thereto discriminates in housing financing;
- 7. membership or participation in brokerage, multiple listing, or real estate service is denied;
- 8. you believe the reason for any of these acts is your race, color, religion, national origin, sex, familial status or handicap (disability).

## How to File A Housing Complaint:

Complaints about discriminatory acts covered by the Nebraska Fair Housing Act can be filed at any of the Commission's locations listed in this pamphlet. An aggrieved person may, not later than one (1) year after an alleged discriminatory housing practice has occurred, or terminated, file a complaint with the Commission. The Complainant may state a complaint in a letter or use a complaint form which may be obtained from an NEOC office. Complaints should be notarized, if possible.

## After A Charge Is Filed:

The Commission will review your complaint and contact you by mail or in person. The Commission will serve notice upon the Complainant acknowledging such filing and advising of

the time limits and choice of forums provided under the law. The Commission, not later than ten (10) working days after such filing, shall serve a copy of the complaint upon the Respondent. Unless it is impractical to do so, the Commission will investigate the alleged discriminatory housing practice within one hundred (10) days, or notify the Complainant and Respondent in writing of the reason(s) for not doing so. (Conciliation efforts will continue throughout this process.)

If the Commission finds reasonable cause, a charge will be issued immediately. The parties affected may then elect to have the matter decided in state district court or in a public hearing. The election must be made not later than twenty (20) days after service of the charge with notice to the Commission and all parties affected. If an election is not made, the matter will proceed to public hearing.

If a local agency has been established and an ordinance passed that the Commission determines is substantially equivalent to the Nebraska law, the complaint will be referred to that local agency for further action.

## **It Is Unlawful to Retaliate:**

It is forbidden by law to punish you for filing a complaint, for acting as a witness, or for assisting the Commission to establish the cause of the complaint.

## **Definitions:**

“Familial status” shall mean one or more minors being domiciled with:

- (1) a parent or another person having legal custody of such individual; or
- (2) the designee of a parent or other person having or seeking legal custody, with the written permission of the parent or other person.

“Handicap” shall mean with respect to a person:

- (1) a physical or mental impairment which substantially limits one or more of such person’s major life activities;
- (2) a record of having such an impairment; or
- (3) being regarded as having such impairment. Handicap shall not include current, illegal use of or addiction to a controlled substance.

For further information, please contact any of the NEOC offices.