



Alachua County Fair Housing Ordinance

Your key to
understanding
the new protections
in housing.



Protected classes under
the Fair Housing Ordinance,
Chapter 111 of the Alachua County
Code have expanded to include:

- Veterans or service member status
- Lawful source of income
- Citizenship Status
- Being the victim of dating violence, domestic violence or stalking

Veteran or Service Member Status

- **Can I refuse to lease to an active service member who may be deployed?**

No, this is considered discriminatory.

- **What other references may I check if a service member doesn't have a rental history?**

You may check the same references as any other tenant, including Proof of Income or background check.

- **If I don't have a military clause in my lease, am I excluded from allowing a service member to break the lease in the case of a permanent change of station or deployment over 90 days?**

No. Service members are protected under federal law and only need to submit a written notice and a copy of their orders under the SCRA (Service Members Civil Relief Act) in order to break the lease.

- **If I only allow service animals, can I refuse a veteran with an emotional support animal?**

No. Emotional Support Animals or Assistance Animals, while different from service animals, are covered under the Fair Housing Act. You may ask for documentation of their disability-related need for an assistance animal.

Lawful Source of Income

- **What is considered lawful income?**

Besides income verifiable by a W-2, other forms of lawful income include SSI, alimony, child support, financial aid, and Housing Choice Vouchers or “Section 8” vouchers, to name a few.

- **Can I say I do not accept Section 8?**

No. Section 8 Housing Choice Vouchers are considered a lawful source of income and cannot be the sole reason for refusing a tenant.

- **Am I forced to accept a lawful form of income if the tenant doesn't otherwise qualify?**

No. Tenants may be rejected by a landlord for the same lawful and valid reasons that any other applicant might be rejected for, such as failing a criminal background check.

- **What kinds of income documentation may I request?**

Bank statements, a pay stub, a court-ordered Award letter, Social Security statement, a letter from the applicant's employer, or a 1040 tax return are just a few examples of the documents that can be provided by an applicant to prove income.

Domestic/Dating Violence or Stalking Victims

- **Can I refuse a tenant whose previous housing was a shelter for abused women?**

No, previous tenancy in a shelter is not grounds for refusal and is considered discrimination.

- **Can I evict a tenant whose abuser or stalker is causing disruption to my property and other tenants?**

No. You may, however, evict a tenant who violates other rules of tenancy unrelated to the domestic abuse.

- **Can I evict family members if the abuser is incarcerated and the abuser is no longer able to pay the rent?**

No, you cannot evict the family members. You can evict the abuser and allow the victim and other family members to stay on the lease and pay. You may also put the remaining family member(s) on the lease if they weren't already. If you add them to the lease, treat them the same as any other prospective tenant.

Do not use stereotypes to categorize your applicants

Citizenship Status

- **What constitutes citizenship status discrimination?**

Different treatment because of a person's actual or perceived ancestry, ethnicity, birthplace, culture, or language.

- **Can I rent to a prospective tenant who does not have a Social Security Number?**

Yes. All people living in the U.S., regardless of whether they're a citizen, green card holder, or here on a visa, are protected under the Fair Housing Ordinance.

- **Can I require information about immigration or citizenship status?**

No, this is considered discriminatory.

- **If I know a tenant's immigration or citizenship status, can I share that information?**

No, you cannot share that information unless complying with a legal obligation under state or federal law.

Who is Covered?

All Landlords are covered by The Fair Housing Ordinance except Landlords of the following types of housing:

- Owner Occupied building with no more than four units
- Single Family Homes sold or rented by the owner without use of an agent
- Religious or Private Clubs that limit occupancy to members

Compliance with Alachua County Fair Housing Ordinance is your responsibility as a landlord and housing provider. You hold the keys to compliance.



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