



# Exclusionary Zoning or Land Use Practices May Violate the Fair Housing Act



**The Fair Housing Act (FHA) prohibits local governments from discriminating in their zoning and land use processes.**

It may violate federal law if a local government adopts exclusionary zoning or land use practices to block or hinder the development of multifamily or affordable housing based on the **race, national origin, familial status (having children under 18), disability, religion or other protected characteristic(s)** of potential residents of the housing:

- Because of discriminatory attitudes of government officials or residents.
- That have a disproportionate effect on members of groups protected under the FHA.

## Department of Justice FHA Enforcement

In some cases, the Civil Rights Division can bring lawsuits against local governments to enforce the FHA or can file friend-of-the-court briefs in private FHA lawsuits involving allegations of exclusionary zoning or land use practices.

## Examples of potentially unlawful zoning and land use processes include

- Refusing to grant a required permit or zoning exception/variance without a legitimate reason;
- Imposing restrictions on building affordable housing that do not apply to other, similar multifamily housing;
- Changing the zoning of a particular area or adopting a moratorium to prevent the housing development;
- Only approving or supporting proposed affordable housing that will be located in communities of color; or
- Unjustifiably opposing affordable housing for families with children while supporting it for seniors.

## How to Report Discriminatory Efforts to Block Housing Development to DOJ

If you suspect a local government has engaged in a discriminatory effort to block housing development

✉ Email [FairHousing@usdoj.gov](mailto:FairHousing@usdoj.gov),

🖥 Visit [civilrights.justice.gov/link/eluz](https://civilrights.justice.gov/link/eluz) (and select Housing Discrimination or Harassment), or

📞 Call 1-833-591-0291 (after choosing language, select the asterisk (\*) key to leave a message)