

FAIR HOUSING LEGISLATION APPLICABLE TO CITY OF NEWTON

1. Massachusetts Fair Housing Law, Mass. Gen. Laws ch. 151B, as amended. Provides protection against discrimination based on race, color, national origin, ancestry, religion, sex, age, marital status, disability, familial status (having a child under 18), sexual orientation, gender identity or expression, source of income or public assistance, veteran history or military status, and genetic information.

2. Title VIII of Civil Rights Act of 1968, as amended (Fair Housing Act). Prohibits discrimination in the sale, rental, or financing of dwellings in the public and private sectors, with certain limited exceptions, based on race, color, national origin, religion, sex, familial status, and disability. Also imposes an affirmative duty on HUD funding recipients to further fair housing.

3. Title VI of the Civil Rights Act of 1964. Prohibits discrimination based on race, color, or national origin in any federally funded program or activity.

4. Section 504 of the Rehabilitation Act of 1973. Prohibits discrimination against persons with a disability in any federally funded program or activity.

5. Americans With Disabilities Act of 1990 (ADA). Prohibits discrimination against persons with a disability in any state or local government services, programs or activities, or public accommodations and services, among other areas.

6. Age Discrimination Act of 1975. Prohibits discrimination on basis of age in federally funded programs or activities except as set forth.

7. Newton Human Rights Ordinance, at section 12, Article V of the Newton Ordinances, sets forth the City's policy to prohibit housing discrimination consistent with the federal and Massachusetts fair housing laws. It also established the Newton Human Rights Commission to among other responsibilities receive, investigate, and informally resolve housing discrimination complaints.

N.B. Massachusetts Zoning Law, ch. 40A. In addition to covering statewide zoning requirements, at section 3 it also sets out certain religious and educational use exemptions (the Dover Amendment), and it includes as well some protections for persons with a disability.

The Massachusetts Comprehensive Permit Law, ch. 40B, addresses approval requirements for affordable housing developments under certain circumstances.