

# **BOLI Civil Rights Division Fair Housing Enforcement**



## **Michael Sterner**

Fair Housing Enforcement Manager  
Bureau of Labor and Industries  
Civil Rights Division

971-353-7162

[michael.sterner@boli.oregon.gov](mailto:michael.sterner@boli.oregon.gov)

## **Leila Wall**

Administrator  
Bureau of Labor and Industries  
Civil Rights Division

971-353-2143

[leila.wall@boli.oregon.gov](mailto:leila.wall@boli.oregon.gov)



# Who Can File a Complaint?

**Anyone who believes they have been subjected to an unlawful housing practice in Oregon based on a protected class.**



# Oregon Protected Classes in Housing

- Disability
- Familial status
- Gender identity
- Marital status
- National Origin
- Race/Color
- Retaliation
- Religion
- Sexual harassment
- Source of income
- Sex/gender
- Sexual orientation



# Jurisdiction and Process

- Fair Housing investigations are initiated following a complaint filed by an individual or family.
- If BOLI CRD has jurisdiction, then a complaint will be sent to the Respondent (party alleged to have violated the Fair Housing Act), who has an opportunity to reply.
- BOLI has jurisdiction if there is an alleged Fair Housing Act violation that occurred in Oregon within the past year.
- The Complainant has the option of pursuing civil action (court) instead of an administrative proceeding.
- The parties often reach a settlement through a conciliation process.
- Complaints that have merit and are not settled are referred to BOLI's Administrative Prosecution Unit to go before an ALJ.



# Relevant Unlawful Housing Practices

ORS 659A.421(3)-(5)

- A person whose business includes engaging in residential real estate related transactions discriminating in the availability and/or terms and conditions of a transaction related to real property.
  - “Residential real estate related transactions” includes:
    - The making or purchasing of loans or providing other financial assistance for purchasing, constructing, improving, repairing or maintaining a dwelling; or secured by residential real estate.
    - The selling, brokering or appraising of residential real property.
- A real estate licensee accepting or retaining a listing of real property for sale, lease or rental with an understanding that a purchaser may be discriminated against with respect to the sale.
- Any person inducing or attempting to induce any other person to sell or rent any dwelling by representations regarding the entry or prospective entry into the neighborhood of a person or persons of a particular protected class.



# Relationship to Federal Fair Housing Law

- Federal fair housing law (Fair Housing Act) is enforced by the US Department of Housing and Urban Development (HUD).
- HUD's Fair Housing Assistance Program (FHAP) awards grants to state and local government agencies to allow them to investigate Fair Housing Act complaints.
- BOLI fell out of “substantial equivalency” with HUD in 2016 but reapplied for certification as a FHAP partner agency in October 2021.
- BOLI is currently awaiting recertification that will allow for investigation of Fair Housing Act complaints in addition to complaints that fall under state law.





# Questions?

