



WHO CAN FILE FAIR HOUSING ACT (FHA) COMPLAINTS?

For Condominiums and Planned Communities

ARS 41-1491 to 1491.37

It is against the law to discriminate against any individual that is part of a protected class. Protected classes are broken down into the following categories: race, color, religion, sex, sexual orientation, national origin, familial status and disability. This law sheet focuses on disability as that is the issue that communities face the vast majority of the time.

Anyone can file a disability complaint at no cost if they believe the association is violating the FHA. *Nolan v. Starlight Pines*, 167 P.3d 1277 (App. 2007); *see also* U.S. Department of Urban Housing and Development Information sheet. In other words, FHA protection is not just for owners in an association but even tenants and guests can potentially file complaints.

Under federal and state law, an association must grant “reasonable accommodations” to disabled individuals.

IMPORTANT

It is very important that anytime an association receives a request to waive a rule to accommodate a disability that the request is carefully reviewed. Because these issues are a legal minefield, it is highly recommended that you obtain a legal opinion when in doubt.