FAIR HOUSING ACT (FHA)

DEFINITIONS

Definitions (Section 802)

As used in this title (Title 42 of the United States Code) -

Secretary
The Secretary of Housing and Urban Development.

Dwelling
Any building, structure, or portion thereof which is occupied as, or designed or intended for occupancy as, a residence by one or more families, and any vacant land which is offered for sale or lease for the construction or location thereon of any such building, structure, or portion thereof.

Family
Includes a single individual.

Person
Includes one or more individuals, corporations, partnerships, associations, labor organizations, legal representatives, mutual companies, joint-stock companies, trusts, unincorporated organizations, trustees, trustees in cases under title 11 of the United States Code, receivers, and fiduciaries.

To rent
Includes to lease, to sublease, to let and otherwise to grant for a consideration the right to occupy premises not owned by the occupant.

Discriminatory housing practice
An act that is unlawful under section 3604, 3605, 3606, or 3617 of this title.

State
Any of the several States, the District of Columbia, the Commonwealth of Puerto Rico, or any of the territories and possessions of the United States.

Handicap
with respect to a person-
(1) a physical or mental impairment which substantially limits one or more of such person's major life activities,
(2) a record of having such an impairment, or

(3) being regarded as having such an impairment, but such term does not include current, illegal use of or addiction to a controlled substance (as defined in section 802 of title 21 of the United States Code).

Aggrieved person
Includes any person who-
(1) claims to have been injured by a discriminatory housing practice; or
(2) believes that such person will be injured by a discriminatory housing practice that is about to occur.

Complainant
The person (including the Secretary) who files a complaint under section 3610 of this title.

Familial status
One or more individuals (who have not attained the age of 18 years) being domiciled with-
(1) a parent or another person having legal custody of such individual or individuals; or
(2) the designee of such parent or other person having such custody, with the written permission of such parent or other person.
The protections afforded against discrimination on the basis of familial status shall apply to any person who is pregnant or is in the process of securing legal custody of any individual who has not attained the age of 18 years.

Conciliation
The attempted resolution of issues raised by a complaint, or by the investigation of such complaint, through informal negotiations involving the aggrieved person, the respondent, and the Secretary.

Conciliation agreement
A written agreement setting forth the resolution of the issues in conciliation.

Respondent
(1) the person or other entity accused in a complaint of an unfair housing practice; and
(2) any other person or entity identified in the course of investigation and notified as required with respect to respondents so identified under section 3610(a) of this title.

Prevailing party
Has the same meaning as such term has in section 1988 of this title.