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**Advisory on Discrimination against Tenants
Receiving Federal, State, or Local Housing Subsidies**

The Massachusetts Attorney General's Office provides this Advisory to you, as a tenant receiving a federal, state, or local housing subsidy (e.g., Section 8 voucher), to inform you of your rights and protections against discrimination under Massachusetts law. We hope this information will help your housing search and provide information about the applicable antidiscrimination laws in Massachusetts.

It is against Massachusetts law for a real estate agent or a property owner to refuse to rent to you because you have a housing subsidy. Additionally, it is against the law for a real estate agent or a property owner to refuse to rent to you because of any of the requirements of a housing subsidy program (including required inspections, repairs or lead paint abatement if you have children under six). It is also against the law for someone to state a discriminatory preference against someone participating in a housing subsidy program (e.g., an advertisement saying "Section 8 need not apply"). These are all examples of housing discrimination in Massachusetts.

The Legislature enacted these protections as part of the state antidiscrimination statutes and the Supreme Judicial Court recently upheld these rights. See DiLiddo v. Oxford St. Realty, Inc., 450 Mass. 66 (2007).

The Laws

The relevant statutory protections are:

MGL c. 151B, s. 4(10): It is unlawful "to discriminate against any individual who is a recipient of federal, state, or local public assistance...or who is a tenant receiving federal, state, or local housing subsidies, including rental assistance or rental supplements, because the individual is such a recipient, or because of any requirement of such public assistance, rental assistance, or housing subsidy program."

MGL c. 151B, s. 4(7B): It is unlawful "to make...any ...statement...with respect to the sale or rental of...housing accommodations that indicates any preference, limitation, or discrimination based on...public assistance reciprocity..."

For Assistance

Please report any discrimination you experience to the authority that administers your voucher and to the Massachusetts Commission Against Discrimination (MCAD) at (617) 994-6000. You may be entitled to monetary damages and injunctive relief, and your complaint will help prevent and address housing discrimination. Filing a complaint with MCAD will not interfere with your housing search. Finally, if someone takes an adverse action against you because you reported a violation to the MCAD, that retaliation is a separate violation of the law.

For more information, please contact the Civil Rights Division of the Attorney General's Office at (617) 727-2200, or on the Web at www.mass.gov/ago.