

Job Aid

LGBTQ+: Fostering Understanding and Strengthening Fair Housing for All - Understanding Concepts and Terms

CONCEPTS OF SEXUAL ORIENTATION AND GENDER IDENTITY ¹

- Gender identity: One’s innermost concept of self as male, female, a blend of both, or neither—how individuals perceive themselves and what they call themselves. One’s gender identity can be the same or different from their sex assigned at birth.
- Gender expression: The external appearance of one’s gender identity usually expressed through behavior, clothing, body characteristics, or voice, and which may or may not conform to socially defined behaviors and characteristics typically associated with being either “masculine” or “feminine.”
- Sexual orientation: An inherent or immutable enduring emotional, romantic, or sexual attraction to other people. Note that an individual’s sexual orientation is independent of their gender identity.
- Non-binary: An adjective describing a person who does not identify exclusively as a man or a woman.

SPECTRUMS OF SEXUAL ORIENTATION AND GENDER IDENTITY²

- Sex spectrum: Concept that places one’s sexual and/or romantic orientation on a spectrum—those who are sexually/romantically attracted to persons of the same gender and/or sex (gay, lesbian, and same-gender-loving people) are at one end, and those who are sexually/romantically attracted to persons of the other binary gender or sex (straight people) are at the other end.
 - Bisexual can refer to any person who experiences attraction to people of their gender as well as other genders, not necessarily at the same time, in the same way, or to the same degree.
 - Pansexual can refer to a person who has the potential to be attracted to members of any gender and/or sex.
 - Queer is finding greater use as a non-specific term to describe a sexual orientation other than straight—including people anywhere along this spectrum. It is sometimes used as an umbrella term for people of all marginalized sexualities and genders.
 - Skoliosexual can refer to people who experience attraction toward non-binary or agender people.
- Gender identity: Concept that visualizes gender as a continuum of masculine to feminine qualities. Gender identities other than man or woman are non-binary. Within that range are:
 - Transgender—a more general term for those who do not identify with the gender generally associated with the sex they were assigned at birth.
 - Agender—those who do not identify with any gender.
 - Genderqueer or queer—those who feel they are a combination of, between, or beyond genders.

¹ Adapted from the Human Rights Campaign (<https://www.hrc.org/resources/glossary-of-terms>).

² This is not intended to be an exhaustive list of the full range of sexualities, genders, or expressions.

USAGE OF PREFERRED PRONOUNS

- Ask a person what name and pronouns to use to respect that person and to avoid making assumptions, deadnaming, and/or misgendering the person.
- Common pronouns may include: he / she / they / ze

COMMON FAIR HOUSING VIOLATIONS IN THE LGBTQ+ COMMUNITY

- Refusal to rent to same sex couples.
- Refusal to rent: An organization not covered by the religious organization or private club exemption using Section 807 (42 U.S.C. 3607) as a defense.
- Steering: LGBTQ+ aggrieved parties shown less-desirable properties or directed to “gay-friendly” neighborhoods.
- Terms/Conditions: LGBTQ+ aggrieved parties are quoted higher rent/sale prices, given different terms and conditions, and shown poor customer service.
- Harassment due to LGBTQ+ status:
 - Verbal harassment or name-calling from landlords, realtors, and lenders regarding a person’s sexual orientation or gender identity.
 - Housing providers refusing to address harassing and/or criminal conduct of tenants due to a person’s sexual orientation or gender identity.
 - Misgendering: Intentionally or unintentionally referring to a person, relating to a person, or using language to describe a person that is not aligned with their affirmed gender.
 - Deadnaming: Using a birth or former name of a transgender or non-binary person without his/her/their consent.

RESOURCES

[Bostock v. Clayton County, Georgia](#) | Date Published: June 15, 2020

In this 2020 U.S. Supreme Court decision, the Court held that Title VII of the Civil Rights Act of 1964 guards employees from discrimination because they are gay or transgender.

[Executive Order 13988 on Preventing and Combating Discrimination on the Basis of Gender Identity of Sexual Orientation](#) | Date Published: January 20, 2021

This Executive Order, signed by President Biden on January 20, 2021, requires all federal agencies to extend existing protections on the basis of sex to include sexual orientation and gender identity.

[Implementation of Executive Order 13988 on the Enforcement of the Fair Housing Act](#) | Date Published: February 11, 2021

In light of Executive Order 13988, this memorandum directs actions by the U.S. Department of Housing and Urban Development’s (HUD’s) Office of Fair Housing and Equal Opportunity (FHEO) and HUD-funded fair housing partners to enforce the Fair Housing Act to prohibit discrimination on the basis of gender identity or sexual orientation.