

TRANSGENDER & NONBINARY RIGHTS IN EMERGENCY SHELTERS

FAIR HOUSING FOR THE UNHOUSED

Can a shelter refuse to admit me because I'm transgender or nonbinary?

No. Under the Equal Access Rule, federally funded shelters may not refuse admission based on sex, gender, gender identity, or gender expression, and single-sex shelters must place you according to your gender identity. For example, a women's shelter must accept both transgender and cisgender women. In California, a nonbinary individual can choose the single-sex program where they feel safest.

What do I have to tell shelter staff about my gender identity?

Single-sex shelters may ask your gender so they know where to house you. They must accept your self-identification, and cannot require "proof" such as medical or legal documents. It is **always** your choice whether to share the sex you were assigned at birth, and if you do, it must be treated as confidential information.

Can a shelter segregate me from other residents because I'm transgender or nonbinary?

A shelter should never **require** you to sleep in a separate area simply because you are not cisgender or do not conform to gender stereotypes. On the other hand, they should accommodate you if you **request** a bed in a different area because you feel vulnerable. You may also make this request for reasons other than your gender identity.

Can a shelter require me to use bathrooms for the sex I was assigned at birth?

No. If there are gender-segregated facilities, like restrooms, showers, or dressing rooms, you must be allowed to use those that match your gender identity. If there are single-stall restrooms, California law requires that they be open to people of all genders.

Can a shelter ban me from wearing clothing associated with my gender identity, like bras or binders?

No. In shelters with gender-specific dress codes, you must be able to follow the dress code that matches your gender identity.

What if I'm harassed at a shelter?

Shelter staff **must** intervene in harassment or discrimination by other residents, and they can never kick you out because you are being harassed. Staff must also use your self-identified name and pronouns.

For more information or to report discrimination, contact the Housing Rights Center today.

1-800-477-5977

www.housingrightscenter.org



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