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## There's no place like home: more choices for housing voucher holders

Residents of Cook County who participate in the housing choice voucher program, the federal housing assistance program (formerly known as the Section 8 program), now have more choices in housing. Thanks to an amendment to the county's human rights ordinance, enacted earlier this month, property owners may no longer legally refuse to rent to voucher holders. Landlords who refuse to accept qualified voucher holders may be charged with housing discrimination based on source of income and liable for damages, attorney fees and fines up to \$500 per violation.

The federal fair housing law, enacted in 1968, prohibits discrimination in housing transactions because of race, color, religion, sex, national origin, disability and familial status. Many states and local governments also have fair housing laws and these local laws usually include more protected categories.

For example, the Illinois Human Rights Act includes eight additional classes — age (over 40), ancestry, marital status, sexual orientation, gender identity, order of protection, unfavorable military discharge and military status. Cook County and the city of Chicago's fair housing laws also include source of income (SOI) as a protected class. Other cities in Illinois offering SOI protection include: Harwood Heights, Morton Grove, Park Ridge, Urbana and Wheeling. It is estimated that about 10 states, the District of Columbia and various cities prohibit SOI discrimination.

SOI is typically defined as a person's lawful, verifiable source of income. It usually includes public benefits such as disability benefits, Social Security, veteran assistance and housing vouchers. Where SOI protection is offered, a

landlord may not refuse to rent to someone just because of their source of income. (They may still refuse to rent to someone because of the amount of their income).

Historically, Cook County's SOI protection has been more limited than Chicago's because it specifically excluded those individuals on Section 8. No more. As of this month, the exclusion will be removed and voucher holders will be able to live anywhere in the county they can afford.

This is a big deal. There are currently about 35,000 voucher holders in Chicago and another 10,000 holders in suburban Cook County. Approximately 40 percent of these families are elderly, disabled or both. Because of the inconsistency in the county and city laws, voucher holders have become concentrated in areas high in poverty and crime with little opportunity to break the cycle. This perpetuates the segregated housing patterns for which Chicago has become, regrettably, renowned.

For too long, excluding voucher holders has become a vehicle for perpetuating race, disability and familial status discrimination and unnecessarily limits housing choices for families who rely on public funding for basic human services. This change to the county ordinance allows voucher holders to more readily disburse throughout the county and will surely lead to stronger more integrated communities.

Unfortunately, landlords and others involved in the housing industry have vigorously opposed this change in the law for years. Many do not want to rent to voucher holders because of the belief that they will be bad tenants. This belief is based on unfair stereotypes about voucher holders. While some voucher holders may be bad tenants, this is not a definitive correlation.



**BY ALLISON K. BETHEL**

Allison K. Bethel is the director of the Fair Housing Legal Clinic at The John Marshall Law School. She also teaches housing discrimination law. As the former director of civil rights for the state of Florida, she has extensive experience in civil rights from both a private and public perspective, particularly in fair housing.

The determination of whether someone will be a bad tenant should be based on their record of tenancy, not their lawful source of income. Moreover, voucher holders are carefully screened during the application process for the program and can be kicked out of the program for subsequent misconduct.

Also, the change to the ordinance does not force landlords to accept Section 8 recipients. They may still apply established policies regarding credit, reference and background checks and if a prospective voucher holder does

not meet the standards, a landlord may still legally refuse to rent to them. This amendment essentially means housing providers may not automatically exclude voucher holders.

Finally, many landlords are reluctant to participate in the voucher program because of bureaucratic red tape that can delay the rental process. There is additional paperwork housing providers must complete and a property inspection that must be satisfied when renting to a voucher holder. These procedures, however, have been streamlined and improved in recent years and are not overly burdensome. The benefit to the landlord is huge — a government-guaranteed, timely rent payment for the lease term.

The passage of the amendment was the result of a lot of hard work by many civil rights advocates and proponents of affordable housing. It was spearheaded by Commissioner Jesus Garcia of the 7th District and ultimately supported by eight other commissioners and Board President Toni Preckwinkle.

More than 60 organizations — including labor unions, clergy members, women's advocacy groups and disability organizations — endorsed the campaign. In addition, U.S. Reps. Danny Davis, Robyn Kelly and Jan Schakowsky joined in supporting the measure, as did state Sens. Daniel Biss and Patricia Watkins and state Reps. Robyn Gabel and Elaine Nekritz. While it was a close vote and a hard battle to win, the benefits will surely improve housing opportunities for the people of Cook County.

Close your eyes, click your heels and repeat after Dorothy: "There's no place like home, there's no place like home."

Now, more residents of Cook County will have the chance to find a decent place to call home.

**“Thanks to an amendment to the county's human rights ordinance, enacted earlier this month, property owners may no longer legally refuse to rent to voucher holders.”**