

Proposal to Amend the Cook County Human Rights Ordinance: Preventing Source of Income Discrimination

The Problem:

- The Cook County Human Rights Ordinance (CCHRO) currently protects individuals from discrimination on the basis of a person's source of income (i.e., child support, social security). The CCHRO however specifically exempts from protection persons with "Section 8" Housing Choice Vouchers. Presently housing providers can and do deny qualified households solely because they have a Housing Choice Voucher. Studies have shown that housing providers often refuse to rent to voucher holders as a pretext for other types of illegal discrimination such as race, familial status, and disability.

The Solution:

- The proposed ordinance amendment would include in the protection against source of income discrimination persons with Housing Choice Vouchers. The amendment would not force property owners to rent any or all of their units to any households using Housing Choice Vouchers. Property owners will still have the right to screen applicants.
- The City of Chicago and five other municipalities in Illinois, ten states, the District of Columbia, and eight counties around the country have laws that protect individuals from discrimination based upon the use of a Housing Choice Voucher.
- Voucher holders are some of the most scrutinized tenants and must meet the rigorous admission criteria of the voucher administrator as well as comply with lease provisions. Nearly 40% of voucher recipients are employed and more than 30% are seniors or persons with disabilities. There is absolutely no evidence that persons who use Housing Choice Vouchers to make their housing affordable perpetuate or increase crime in communities.
- Landlord participation in the voucher program is not unduly burdensome. Landlords only have to complete three simple forms. Payments made by the housing authority are made electronically. Units must pass a Housing Quality Standards inspection. Voucher recipients have to complete most of the paperwork.
- By supporting this amendment to the CCHRO, the last remaining type of source of income discrimination in Cook County can finally end.

For more information, contact Brendan Saunders, Open Communities, 847-501-4352
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List of Supporters:

US Congressman Danny Davis (7th District)
US Congresswoman Jan Schakowsky (9th District)
State Representative Robyn Gabel (18th District)
State Representative Elaine Nekritz (57th District)
State Senator Daniel Biss (9th District)
State Senator Patricia Watkins (5th District)
Cook County Clerk David Orr
Cook County Recorder of Deeds Karen Yarbrough
Access Living
Bethel New Life
Bickerdike Redevelopment Corporation
Business and Professional People for the Public Interest
Cabrini Green Legal Aid
Centers for New Horizons, Inc.
Chicago Anti-Eviction Campaign
Chicago Area Fair Housing Alliance
Chicago Coalition for the Homeless
Chicago Housing Authority
Chicago Lawyers' Committee for Civil Rights Under Law
Chicago Rehab Network
Chicago Urban League
Claretian Associates
Citizen Action Illinois
Connections for the Homeless
Disability Resource Action Committee
Evanston NAACP
Ford Heights Community Service Organization
Garfield Park Community Council
Healthcare Alternative Systems (HAS)
HOPE Fair Housing Center
Housing Action Illinois
Housing Authority of the County of Cook
Housing Choice Partners
Housing Opportunity Development Corporation
Housing Options for Women (HOW)
Illinois Housing Council

Independent Voters of Illinois/Independent Precinct Organization
Jane Addams Senior Caucus
Jewish Council on Urban Affairs
Jobs With Justice
John Marshall Law School Fair Housing Legal Clinic
Kenwood Oakland Community Organization
Kingdom Community
La Casa Norte
Lakeside Community Development Corporation
Latin United Community Housing Association (LUCHA)
Latino Policy Forum
Lawyers' Committee for Better Housing
League of Women Voters of Cook County
Logan Square Neighborhood Association
Metropolitan Family Services
Metropolitan Tenants Organization
National Fair Housing Alliance
New Directions for Change
Northwest Side Housing Center
Oak Park Housing Authority
Open Communities
Progress Center for Independent Living
Protestants for the Common Good
Respond Now
The Sargent Shriver National Center on Poverty Law
SEIU Local 73
South Suburban Housing Center
South Suburban PADS
Spanish Coalition for Housing
Supportive Housing Providers Association
Target Area Development Corporation
United Congress of Community and Religious Organizations
West Suburban PADS
Woodstock Institute

FAQ's About Source of Income Protection

The Cook County Human Rights Ordinance (CCHRO) currently protects individuals from discrimination on the basis of a person's source of income (i.e., child support, social security). The CCHRO however specifically exempts from protection persons with "Section 8" Housing Choice Vouchers. Presently landlords can and do refuse to rent to qualified tenants because they have Housing Choice Vouchers. Studies have shown that landlords often refuse to rent to voucher holders as a pretext for other types of illegal discrimination such as race, familial status, and disability.

How would the County amendment impact landlords?

- **Landlords will only be obligated to *consider* renting to HCV holders, meaning landlords cannot refuse to rent, impose different terms or conditions, use different advertisements or other communications, or otherwise treat HCV holders differently from tenants without vouchers.**
- SOI protection would **NOT** force a landlord to participate if the tenant does not meet the landlord's typical requirements. For instance, the landlord can deny tenancy for insufficient credit rating or a bad landlord reference, as long as the criteria are applied equally to all renters.
- The amendment would not control rent rates. Landlords can charge whatever rent the market will bear.

Who are Cook County's Housing Choice Voucher (HCV) holders?

- Only 5% of tenants in Suburban Cook County have housing choice vouchers.
- The majority of voucher holders are families with children, followed by people with disabilities, the elderly, and veterans.
- The Housing Authority screens voucher holders, and landlords may do so as well, ensuring that these tenants are prepared to meet the obligations of tenancy.

How does the HCV program work?

- After tenants pass the Housing Authority's screening, they are responsible for finding and securing housing in the private market.
- Once the landlord approves the tenant and fills out the Request for Tenancy Approval, the Housing Authority is alerted when the tenant submits the RTA. Next, an inspection is scheduled.
- All units must pass a Housing Quality Inspection; for example, the Housing Authority of Cook County has a contract with a private company that inspects units in as little as three days after the processing of the required paperwork. Once the unit passes inspection, rent is negotiated, and then the landlord and tenant can set a move-in date.
- Required paperwork includes the lease (terms of which the landlord establishes and the tenant agrees to, as in a typical lease arrangement) and the housing assistance payment contract (a contract between the landlord and housing authority which runs concurrently with the lease).
- Landlords can receive direct deposit of the housing authority's rent portion, and the tenant pays the remainder of the rent on the schedule agreed upon by the landlord and tenant.
- If a tenant fails to comply with the lease terms, a landlord has the right to file an eviction action.
- At the end of the lease, the contract is either renewed or ended, just like a typical market lease.

What other jurisdictions currently have this type of protection?

- Currently, City of Chicago, 5 other IL municipalities, 8 counties, and 10 states already protects voucher holders.

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