



**Testimony for the House Judiciary Committee
February 9, 2012**

**HB 168
Human Relations – Housing Discrimination – Source of Income**

SUPPORT

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LIBERTIES UNION
OF MARYLAND

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The American Civil Liberties Union of Maryland supports HB 168, a bill that would prohibit discrimination in housing based on Source of Income. The ACLU is a non-profit organization, which works to ensure, among other things, that all people in the state of Maryland are free from all types of discrimination.

The bill would increase housing and economic opportunities for seniors, persons with disabilities, veterans, and many working families with children by prohibiting housing discrimination based on a person's lawful source of income.

House Bill 168 is an extension of existing anti-discrimination legislation. Just as we agree that no one should be denied housing because of his or her race or religion, whether a person's income comes from wages, child support, or a housing voucher is immaterial to their suitability as a tenant and their qualities as a good neighbor. The proposed legislation does not interfere with a landlord's right to make sure a potential tenant can pay the rent and abide by the lease terms. It simply gives everyone an even chance to be judged on their own merits.

Many entry level and low-wage workers cannot afford even modest housing on their wages alone, and must rely on a voucher to supplement their wage income. But we hear from many people who report that they encounter landlords who refuse to lease to them simply because they use federal housing assistance to help pay rent. Large apartment complexes, in particular, refuse to rent to voucher holders. Renters who rely on other non-wage sources of income, such as unemployment insurance, disability benefits, veterans housing vouchers, child support, or public assistance, also encounter discrimination based on the source of their income.

As a result of this discrimination, large numbers of vulnerable populations are virtually excluded from the mainstream rental market. In some cases it leaves them with no housing at all --- "homeless with a voucher"--- as one of our clients described her experience.

The refusal to consider applicants simply because they depend on federal housing assistance or lawful non-wage income impacts disproportionately persons of color, women, families with children, and people with disabilities and is commonly a pretext for other types of bias. It denies these persons the opportunity to live in the community of their choice, based on stereotypes about a group of people, rather than their individual qualifications (i.e. the ability to pay

the rent and abide by the lease). It also discriminates against certain neighborhoods as well as individuals. We find that some of the large management companies operating in Maryland refuse to accept vouchers at their complexes located in predominantly white and middle class neighborhoods, while at the same time, they accept (and even solicit) vouchers for their complexes located in predominantly minority and/or working class communities. This discriminatory behavior contributes to the concentration of poverty in minority and working class neighborhoods.

Approximately eleven other states and numerous local jurisdictions have “source of income” (SOI) discrimination laws similar to HB 168, including Montgomery, Howard and Frederick counties and the cities of Annapolis and Frederick. The validity of this legislation has already been upheld by our Court of Appeals in *Montgomery County v. Glenmont Hills Associates Privacy World at Glenmont Metro Ctr.*, 402 Md. 250 (2007). The enactment of HB 168 would simply extend the same protection to Marylanders in the rest of the state.

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The ACLU of Maryland strongly supports this HB 168 and urges a favorable report from the committee.