

Apartment for Rent Call (123) 456-7890 "No Section 8"

Housing Choice Voucher Discrimination in Chicago

**Kenneth Gunn, First Deputy Commissioner
Chicago Commission on Human Relations**

**Brandon Johnson
Mayor**

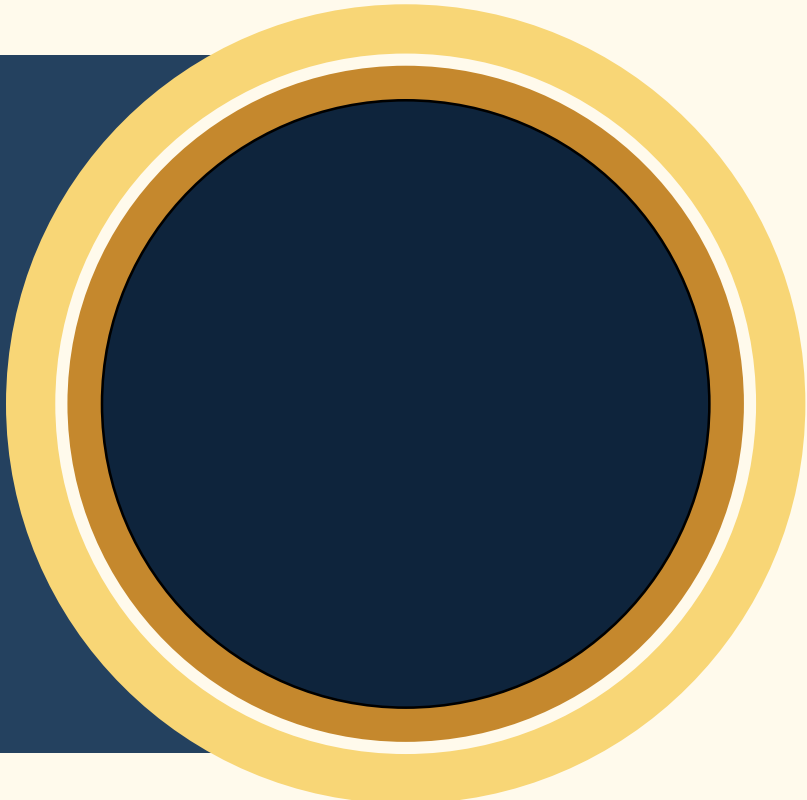
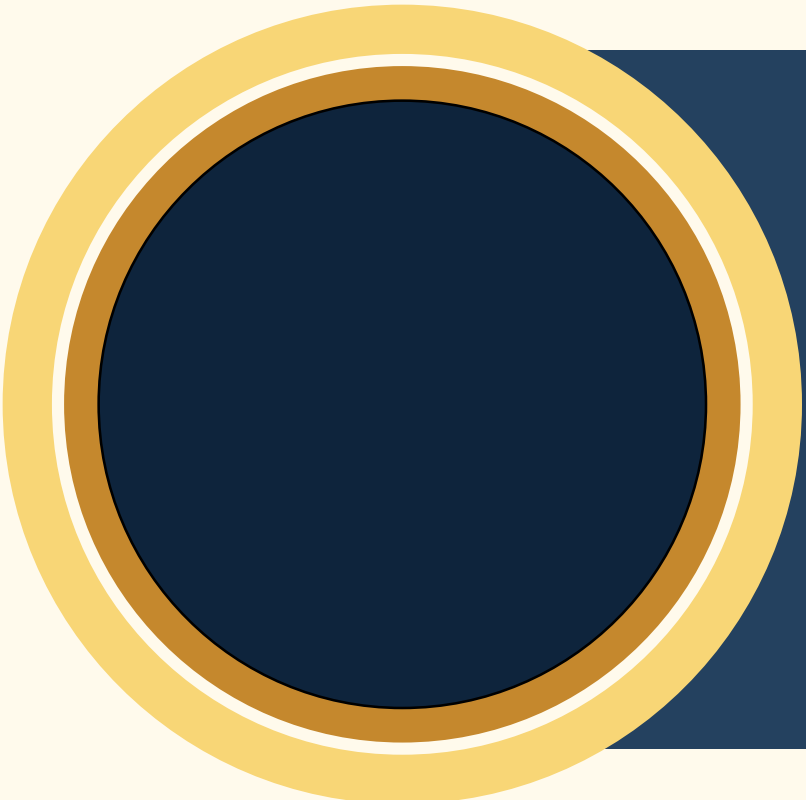
**Nancy Andrade
Chair and Commissioner**

Fair Housing in Chicago, A Few Historical Facts

- 1930's – 1960's : Chicago Public Housing Projects Built
- 1965: Dr. Martin Luther King Jr. comes to Chicago to advocate for Fair Housing
- 1966 Gautreaux v Chicago Housing Authority
- 1968 Federal Fair Housing Act



Section 8 and Housing Choice Vouchers

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- A large decorative circle with a dark blue center, a thin white border, and a thick yellow outer ring is positioned on the left side of the slide.
- Section 8 Vouchers, now called Housing Choice Vouchers provide rental assistance to low-income residents
 - Income must be 50% or less of the median income of the community.
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- A large decorative circle with a dark blue center, a thin white border, and a thick yellow outer ring is positioned on the right side of the slide.
- Federally funded through HUD which allocates a specific number of vouchers annually to Public Housing Authorities (PHAs).
 - Application process will vary by PHA

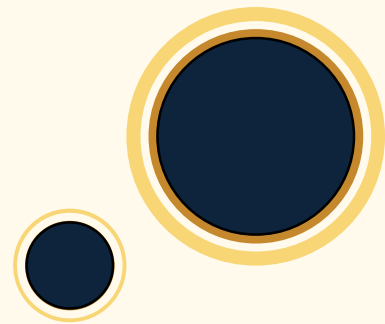
Section 8 and Housing Choice Vouchers (continued)

- Vouchers are used to find housing in the private housing market
- A maximum of 30% of the family's adjusted gross income can be used for the rent, with the voucher covering the balance.

- The dollar amount of the voucher will depend on the family size, median income of the jurisdiction, etc.

Chicago Housing Authority (CHA)

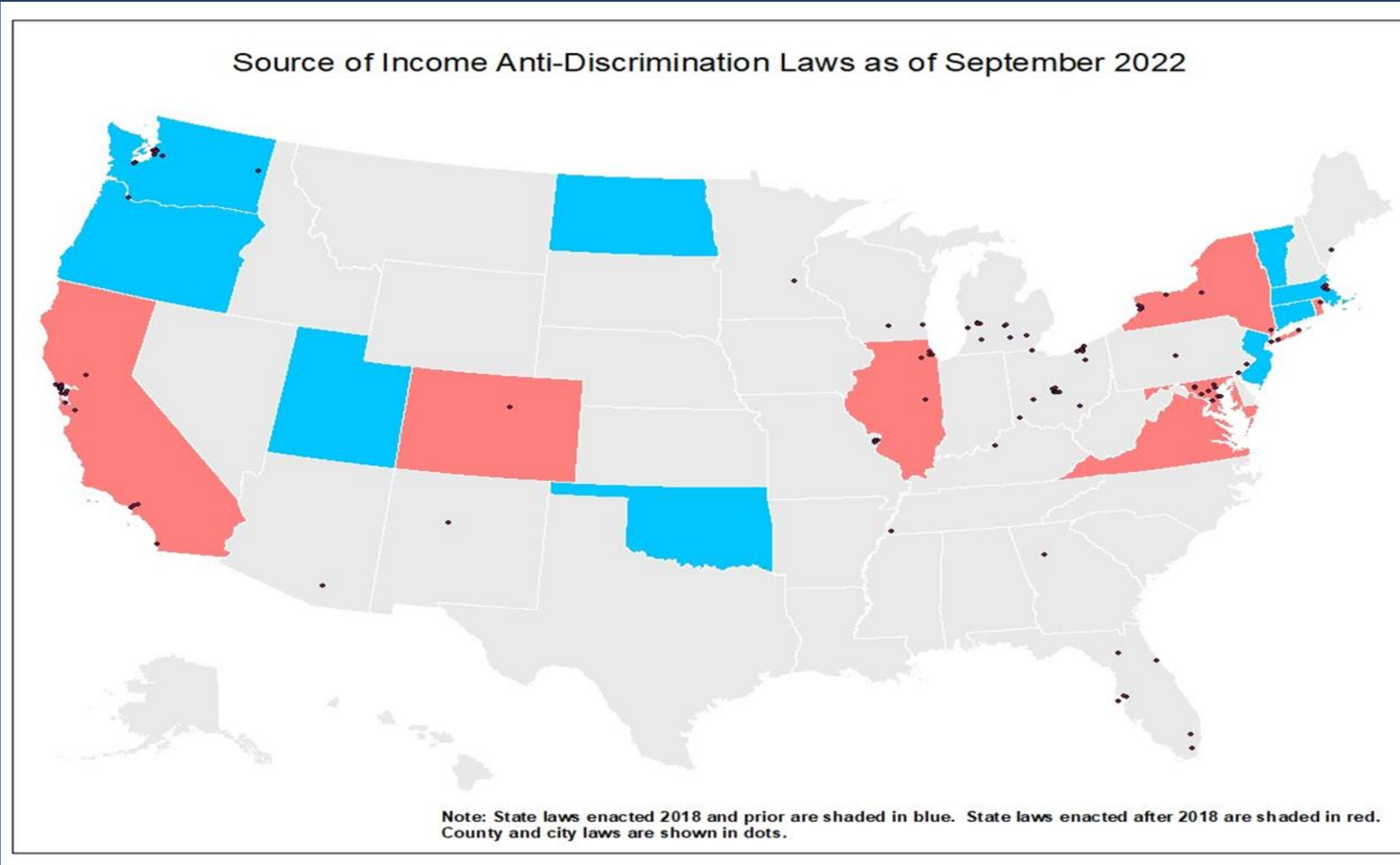
- CHA is the public housing authority for Chicago
- Historically, housing has provided for low-income families, which includes:
 - High Rises (A must read, “High Risers” Cabrini Green and the Fate of American Public Housing by Ben Austen, 2018)
 - Scattered site housing
 - Section 8/Housing Choice Vouchers (HCVs)



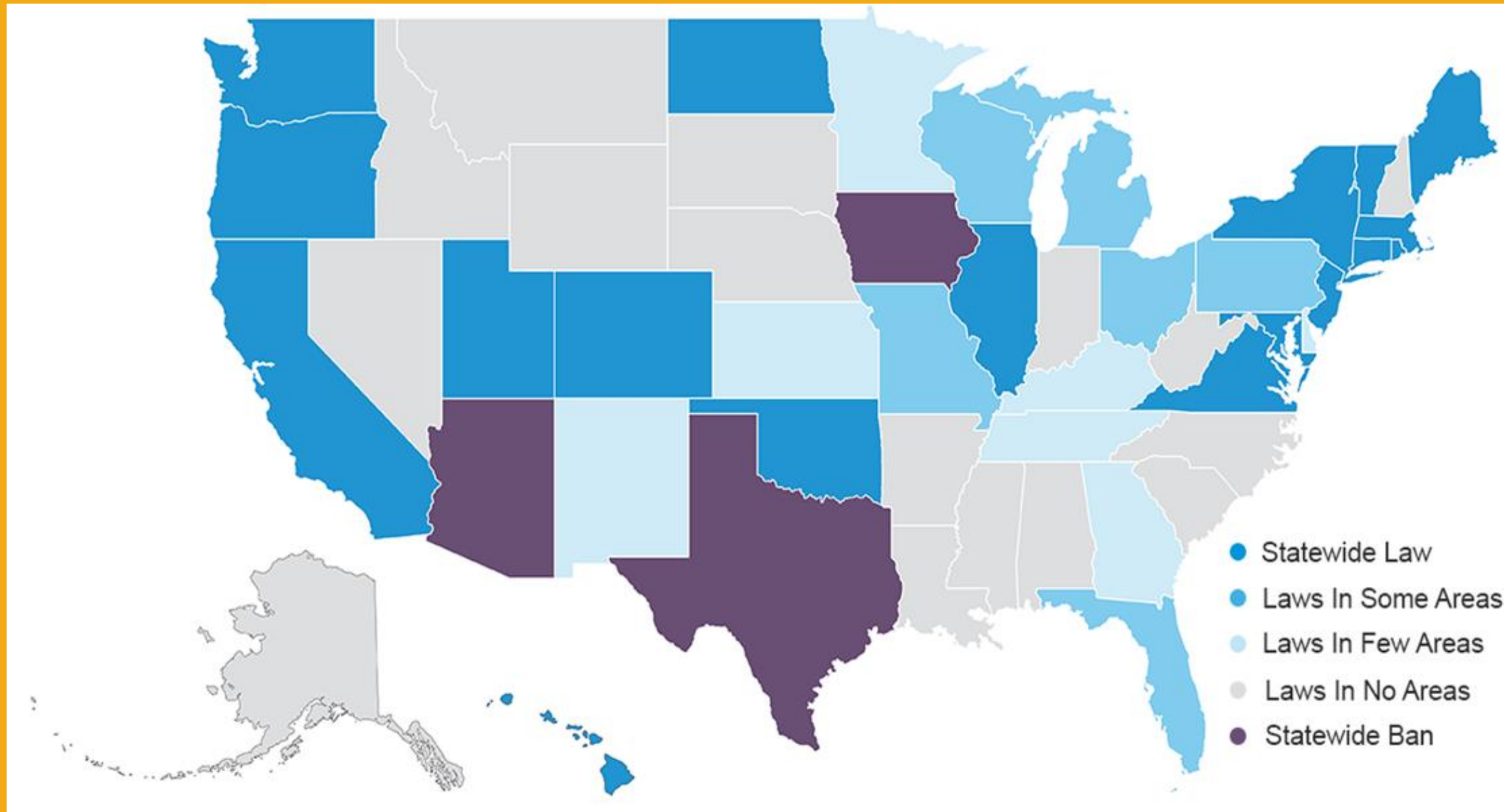
Fair Housing Laws and Housing Choice Vouchers (HCVs)

- In addition to the protected classes under the Federal Fair Housing Act (race, religion, sex, etc.) many jurisdictions have included “Source of Income” as a protected class
- However, not every fair housing law that includes source of income, prohibits HCV discrimination

Source of Income Laws in the U. S.



Housing Choice Voucher Protection



Fair Housing Laws in Illinois, HCV Discrimination Prohibited

- Chicago Human Rights Ordinance, 1991 (by caselaw)
- Cook County, IL, 2013 (ordinance)
- Illinois Human Rights Act, 2023 (statute)

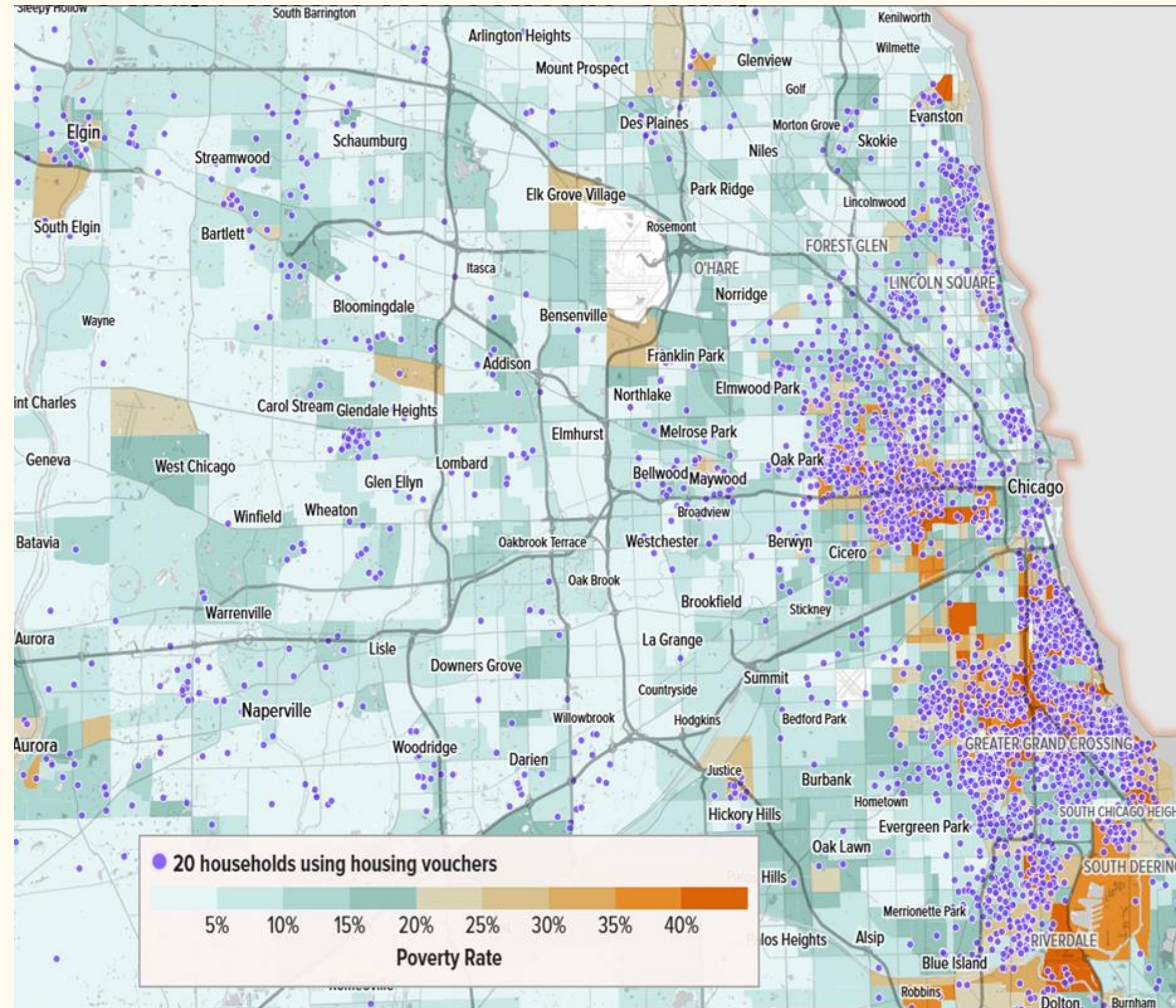


**I Have My Voucher, Let's Go
Find a Place...But Where?**

City of Chicago Community Areas

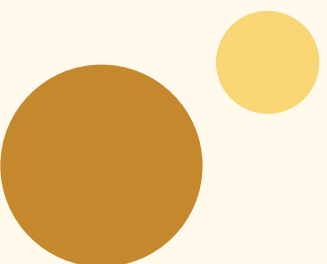


Where HCVs are Concentrated

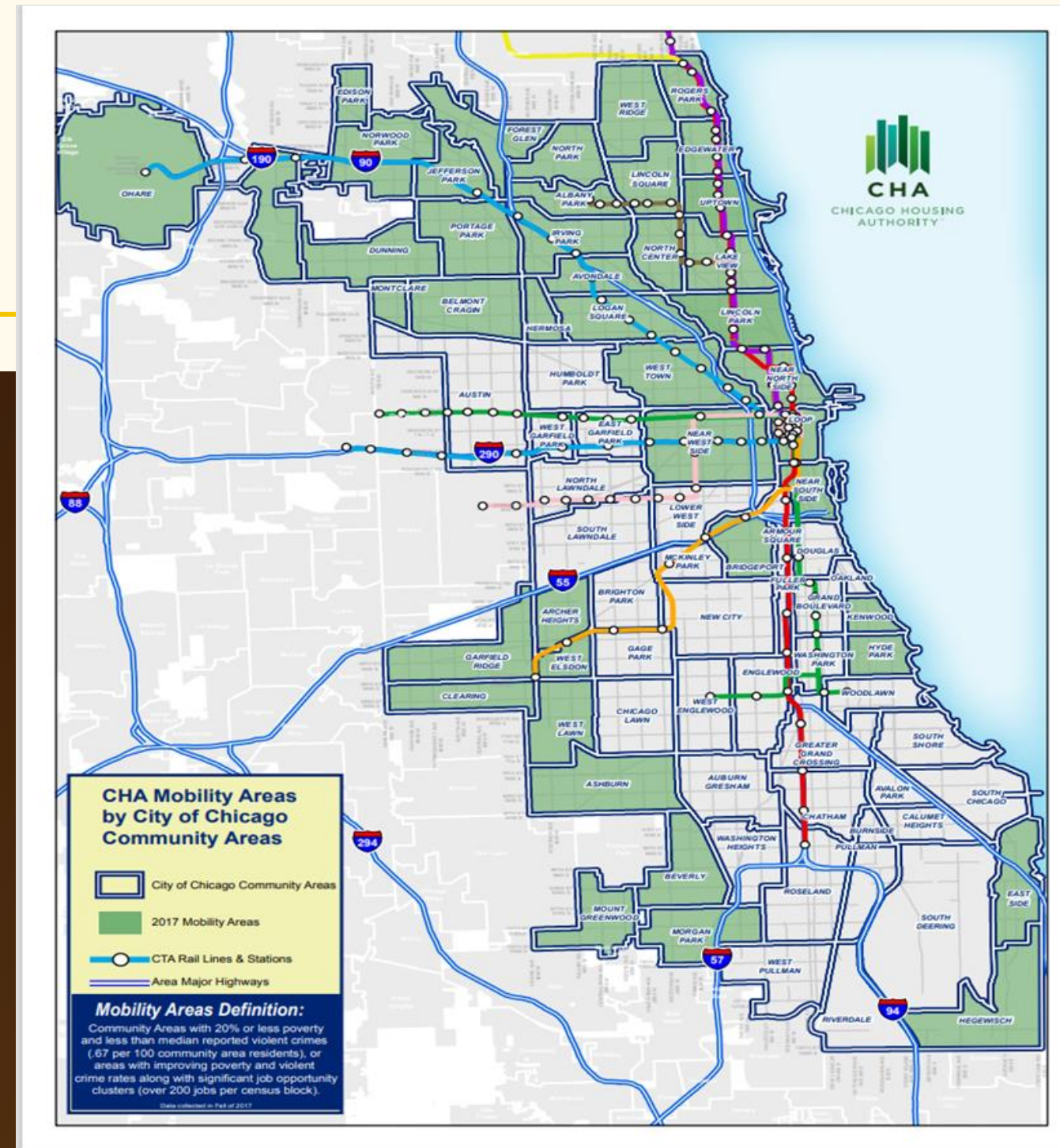


Opportunity Areas

- Opportunity Areas (also called Mobility Areas) give low-income families the chance to escape poverty
- Each PHA designates what areas of their jurisdiction are deemed opportunity areas
- Voucher levels are increased to a maximum of 150% of the area's median rental cost. Higher for people with disabilities.

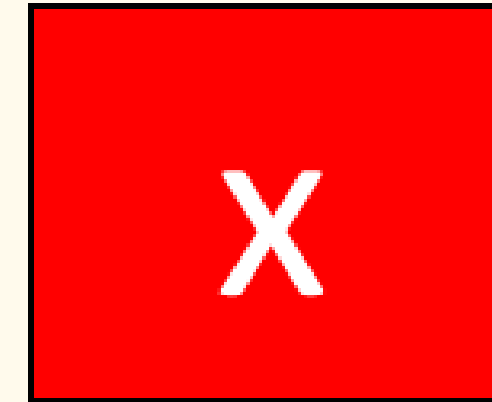


Opportunity Areas Map



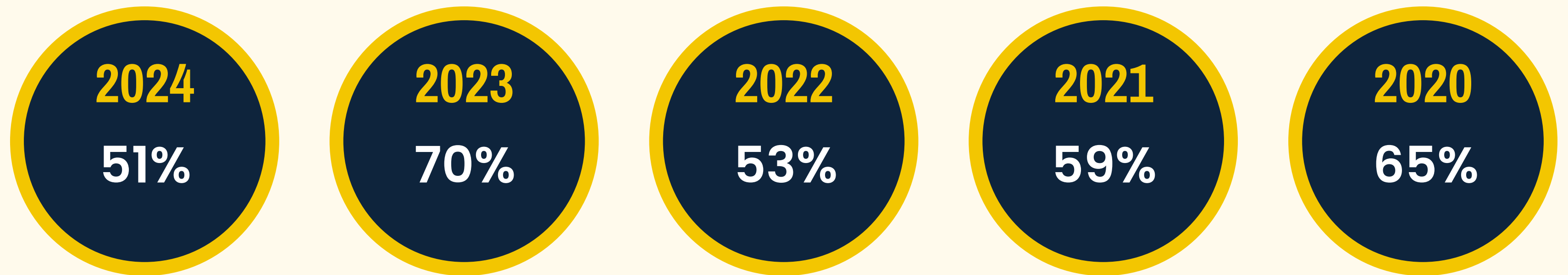
**I found the perfect
apartment! Let's put in our
application today!**

REJECTED



Chicago: Claims of Source of Income Discrimination Based on HCVs

Highest number of fair housing claims annually at CCHR allege HCV
discrimination:



Let's Play the IAOHRA Family Feud!



“And the Survey Says...”!

We surveyed 100 investigators at the CCHR for the top seven answers to the question, “What reasons do landlords give for not renting to families with Housing Choice Vouchers?”

**The unit is not approved for
Section 8**

Is this a valid defense?

**We're not set up for Section
8.**

Is this a valid defense?

**Sorry, we just rented the
apartment to someone else.**

Is this a valid defense?

**Your income isn't 3x the
amount of the rent.**

Is this a valid defense?

The 3x Amount of the Rent Income Requirement

- How we apply it: The applicant's income can only count towards what the voucher doesn't cover
- Example: The rent is \$1,000 and the voucher is for \$900. The applicant receives \$500 from Social Security.
- The applicant would not have to have an income of \$3,000 ($3 \times \$1,000$), but just three times the difference of what the voucher does not cover ($\$100 \times 3 = \300) so they would qualify since they have \$500 in income.

**The apartment previously failed
the housing authority's inspection**

Is this a valid defense?

**Sorry, the inspection
process takes too long!**

Is this a valid defense?

**It's my building, and I can
rent to whomever I want to!**

Is this a valid defense?

Other Ways Landlords Discriminate: Soft Refusals

Failure to get back in touch
with the applicant

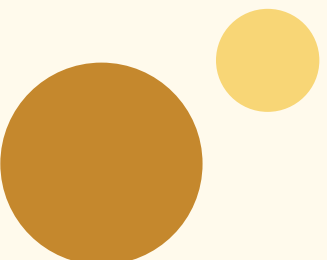
Discouraging
statements

Cancellation of
appointments

Poor customer service

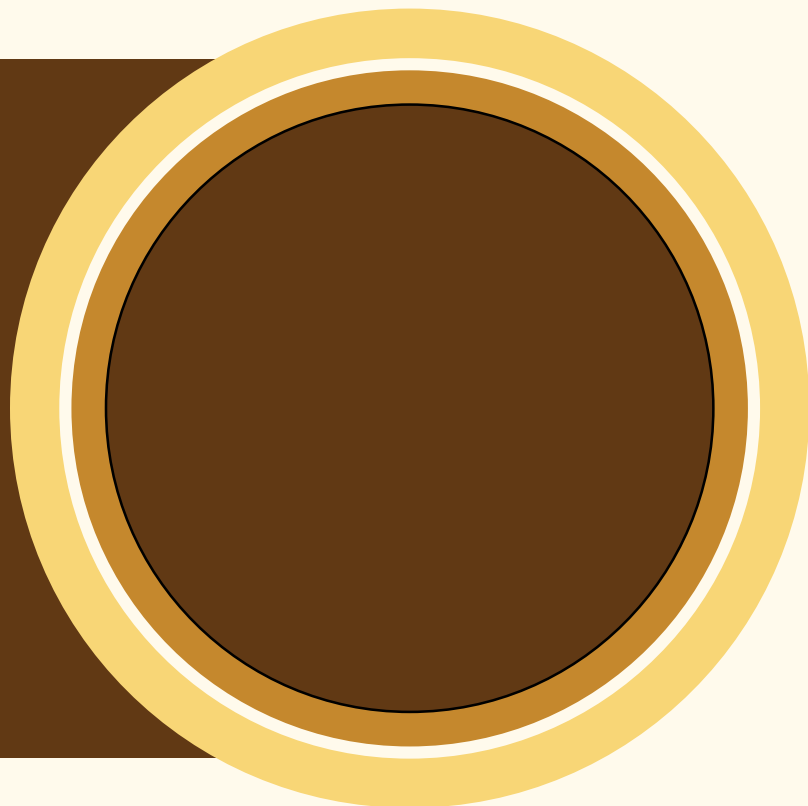
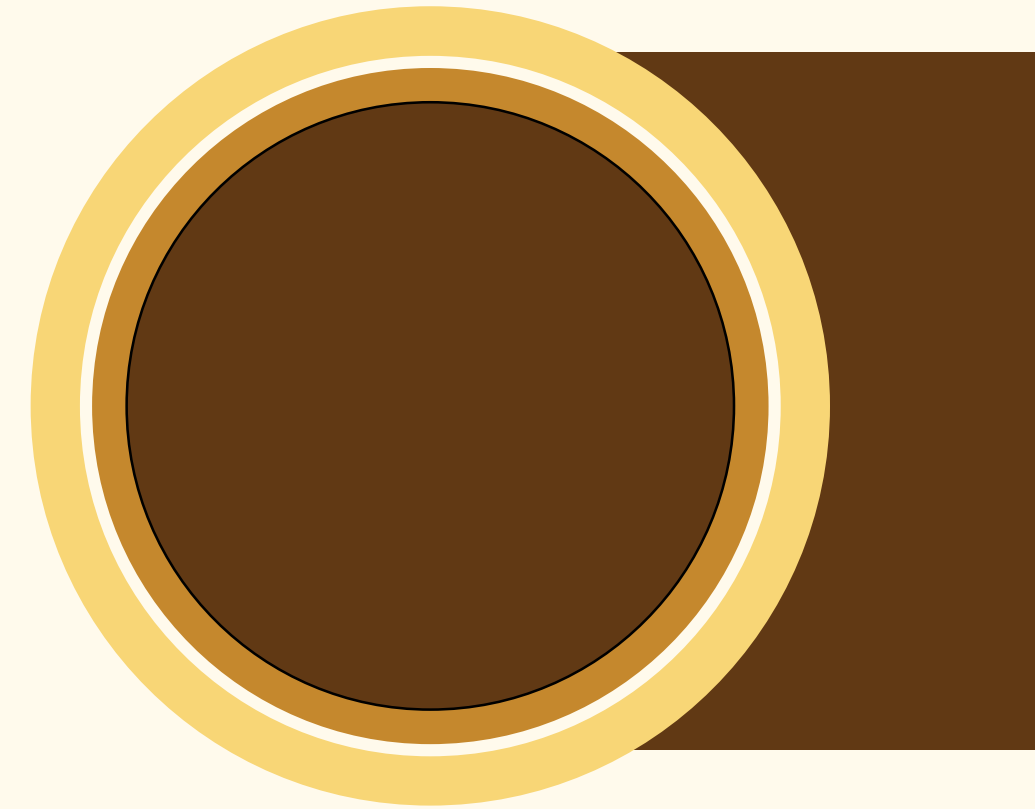
Our Research Findings

- CCHR conducted studies on HCV discrimination in 2017, 2019, and 2020
- 89% of HCV holders are Black
- HCVs are most likely rejected from the north side to the near south side
- HCVs are concentrated in communities on the West and South sides which are predominantly lower income and Black
- Landlords in these area welcome and even advertise for HCV applicants



The Problem

- These practices contribute to continued segregation and lack of opportunities, and generational poverty.



- Landlords that welcome HCVs may charge higher rents than the average market rate; as a result, market renters can be forced out of the community.

Strategies to Combat HCV Discrimination: Law and Procedures

**Add HCV protection to
source of income protection
in fair housing laws.**

**Conduct Fair Housing tests and
follow up with official complaints**

**Ensure your complaint process is
user-friendly as possible**

**When possible, offer mediation to
resolve complaints early in the
process**

**Establish a relationship with your PHA
to understand their practices and
procedures for their HCV program**



Strategies to Combat HCV Discrimination: Education and Outreach

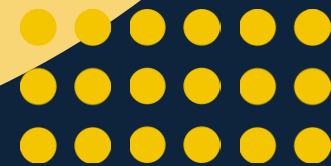
**Educate the public; network
with community agencies**

**Develop a resource list for the public with
agencies, community organizations, and
pro-bono attorneys who may be able to
assist people with filing a complaint**

**Educate landlords by tapping into
their networks**

Social Media messaging







For additional information, please contact:

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