

Is it Discrimination if a Landlord refuses my Voucher?

There are no laws in Ohio that require a landlord to accept a Housing Choice Voucher. Currently, landlords can choose whether they will accept Section 8 or not.

However, some landlords will “pick and choose” who they will accept a voucher from and that can be a problem. An example of this would be if a landlord only accepts Section 8 vouchers from white tenants or from individuals without children. While the landlord doesn’t have to take Section 8 at all, this act of “picking and choosing” may be evidence of discrimination.



Can a Landlord Impose Additional Terms or Fees For Voucher Holders?

Landlords can impose their own screening criteria to prospective tenants, such as security deposits, no prior evictions, etc. However, some landlords will impose additional fees, have more rigorous screening criteria for Section 8 tenants, or require additional monthly rental fees in addition to the stated rent. This could be considered discrimination. Contact the Ohio Valley Fair Housing Center if you are unsure.

While you are home seeking, it is a good practice to take notes, document who you contacted and the reason for the denial and ask questions. Even though you have a voucher, you still have the right to be an informed consumer.

If you are unsure, contact our office and someone will assist you in determining if such actions are legitimate and not discriminatory.

YOU HAVE THE RIGHT TO HOUSING FREE FROM DISCRIMINATION

Sex * Disability * Familial Status
Race * Religion * Color
National Origin or Ancestry * Military Status

If you feel you've been discriminated against in housing, make sure you take these steps:

- Keep a record of the names, dates, addresses, phone numbers and other important information which can assist in the investigation of your complaint
- Don't forget to be as specific as possible about the incident. Get the names and addresses of any witnesses to the incident whenever possible
- Following the incident you have one year to file an administrative complaint or two years to file a lawsuit



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This brochure is intended for general information purposes only and does not constitute legal advice. If you need legal advice please contact your Bar Association, Legal Aid or a private attorney.

KNOW YOUR RIGHTS!!



Fair Housing and Housing Choice Vouchers



The Ohio Valley Fair Housing Center is a non-profit 501(c)(3) organization that offers several housing programs that benefit residents of Jefferson County, Ohio. The mission of the Ohio Valley Fair Housing Center is to promote equal housing opportunities for all persons and to advocate for fair housing and diversity in Jefferson County through the education and involvement of the public, government and business community.

What are Housing Choice Vouchers?

The housing choice voucher program is the federal government's major program for assisting very low-income families, the elderly and the disabled to afford decent, safe and sanitary housing in the private market. Since housing assistance is provided on behalf of the family or individual, participants are able to find their own housing, including single-family homes, townhouses or apartments.

Housing choice vouchers are administered locally by public housing agencies (PHAs). The PHAs receive federal funds from the U.S. Department of Housing and Urban Development (HUD) to administer the voucher program. A family that is issued a housing voucher is responsible for finding a suitable housing unit of the family's choice where the owner agrees to rent under the program. Rental units must meet minimum standards of health and safety, as determined by the PHA.



A housing subsidy is paid to the landlord directly by the PHA on behalf of the participating family. The family then pays the difference between the actual rent charged by the landlord and the amount subsidized by the program.

Discrimination

The Federal Fair Housing Act prohibits discrimination on the basis of the following criteria:

- Race or Color;
- Religion;
- National Origin;
- Familial Status;
- Disability, or
- Sex



Additionally under 24 CFR 6.4, the code states that no person in the United States shall be excluded from participation in, denied the benefits of, or be subjected to discrimination under any program or activity funded in whole or in part with Federal financial assistance, on the grounds of race, color, national origin, religion, disability or sex. State law also prohibits discrimination based on the grounds of veteran or military status.

So as you can see, these federal and state laws, coupled with several other laws outline your right to housing free of discrimination.

If you feel you may be a victim of discrimination, contact our office for assistance.

Reasonable Accommodations

What are Reasonable Accommodations? They are changes in rules, policies, practices or services that may be necessary to provide a person with a disability an equal opportunity to use and enjoy their home.



Federal Fair Housing Laws require PHAs to provide reasonable accommodations in the Housing Choice Voucher program. For example, a family may need to be relocated due to the disability of a family member. These accommodation requests are made on a case-by-case basis.

Additionally, PHAs must inform all HCV applicants and participants of their right to request a Reasonable Accommodation. PHAs must also have a process for making such requests and for determining what is reasonable.

Reasonable Modifications

A Reasonable Modification is similar to an accommodation request. Modifications allow a person with a disability to alter their rental housing to meet his/her unique needs; for example, installing a ramp or a roll-in-shower. The difference here is that any modification to a unit must be made with permission from the owner of the unit and is at your own expense.

Section 504 of the Rehabilitation Act of 1973 is a civil rights law that prohibits discrimination against individuals with a disability. If you believe you have been discriminated against on the basis of a disability, or you need assistance with a Reasonable Accommodation or Modification request with your local PHA or landlord, please contact our office for assistance.