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Discussion

The Fair Housing Act protects individuals who use Section 8 vouchers from discrimination. Section 100.65 [a] of the Code of Federal Regulations states that It shall be unlawful, because of race, color, religion, sex, handicap, familial status, or national origin, to impose different terms, conditions or privileges relating to the sale or rental of a dwelling or to deny or limit services or facilities in connection with the sale or rental of a dwelling. Landlords who refuse to accept vouchers as a lawful source of income violate the F.H.A. rule of conduct and discriminate against low-income persons. Discrimination by these landlords is not blatantly visible; it is hidden and impacts the lives of voucher holders. The voucher program is used by persons of a different race, gender, low-income source, and/or disabled. However, in New York, voucher holders are 35% Black and 47% Hispanic and likely to have a disability. As a result, landlords and realtors violate the F.H.A. prohibition against discrimination and regulations when a no-voucher policy is practiced. It is unlawful for a realtor or landlord to deny or withhold a dwelling based on an individuals race, sex, age, disability, color, etc., when housing is available. The New York City Human Rights Law Section 8, states that vouchers are to be accepted as a lawful source of income by landlords and realtors. These vouchers are provided to low-income individuals by the government as a source of income to acquire a dwelling. Landlords who refuse voucher holders as payment for rent contribute to the high level of homelessness in N.Y. The Housing Urban Development reported that 580,000 individuals were experiencing homelessness during Covid-19 pandemic. These vouchers will enable many homeless people to leave shelters and obtain permanent housing.

Abstract

The Fair Housing Act (FHA), enacted as Title VIII of the Civil Rights Act of 1968, prohibits discrimination from selling or renting a dwelling to any person because of race, color, disability, religion, sex, family status, and national origin. The federal government provides rental subsidies for many low-income renters through government programs. Rental assistance such as Section 8 vouchers administered by Housing and Urban Development is considered a lawful source of income for paying rent; however, many landlords or realtors discriminate against individuals utilizing Section 8 vouchers. According to the New York City Human Rights Law, this is illegal. The Legal Aid Society filed a federal lawsuit against 88 New York City real estate firms and landlords alleging housing discrimination towards prospective tenants attempting to use Section 8 housing vouchers. The lawsuit claims that nearly half of all cases recorded under the investigation were denied housing. It is against the law in New York State for landlords or brokers to deny an applicant who uses housing vouchers, and it is considered a violation of the FHA.

Results

Residents spend most of their time living in shelters or remaining homeless as they seek realtors who will accept their section eight vouchers as payment. A lawsuit, Housing Rights Initiative v. Compass Inc, against 88 landlords was filed in 2021 by The Legal Aid Society accusing them of housing bias in New York City. The importance of this case is that the basis of the violation is discrimination against source of income, the use of government subsidy as rental payment. The defendants refused to accept the housing vouchers from low-income individuals seeking rental apartments. As a result, landlords were accused of violating the Fair Housing Act, and the New York State Human Rights Law. The lawsuit did not proceed to trial. Due to the allegations of discriminatory practices, many defendants agreed to settle the claims and provide relief for persons injured by their unlawful actions. These settlements include landlords and realtors consent to comply with non-discrimination policies that explicitly cover lawful sources of income; post signs in corporate and public offices declaring that vouchers and other government financed assistance are accepted; reserve apartments specifically for tenants with vouchers; and participate in anti-discrimination training. These remedies are among the most significant in combating source of income discrimination in housing programs.



Introduction

Approximately 9.3 million, or 2.84% of Americans, benefit from Section 8 and other housing assistance through H.U.D., including 2.07 million Americans who live in Section 8 Project Housing, according to IPropertyManagement. The FHA prohibits discrimination in housing; however, denying tenants utilizing housing vouchers is a form of discrimination. Roughly 56,000 individuals now sleep in the homeless shelter system, and over 100,000 children live in shelters with families and friends. The Housing Voucher program is the most extensive rental assistance that currently assists an average of two million American families, which includes over 127,500 families in New York City. Landlords and realtors refusal to accept housing vouchers as payment makes it difficult for low-income families to obtain affordable housing and is discriminatory. The discriminatory impact on housing voucher users becomes apparent when the group is examined. Most New York voucher holders are 35% Black and 47% Hispanic and likely to have a disability. Furthermore, the U.S. Department of Housing and Urban Development reports that landlords and realtors prevent 5.5% of all Black and Hispanic from obtaining housing while only preventing 1.7% of white New Yorkers from receiving housing.

Methodology

To finalize my research on discrimination in New York City's housing voucher program, I read and analyzed several sources, including newspaper articles, case law, statutes, and Federal and government websites. The sources provide evidence to support and identify source of income discrimination against housing voucher holders.

Acknowledgement

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