

CITY OF BALTIMORE

CATHERINE E. PUGH, Mayor



OFFICE OF CIVIL RIGHTS AND
WAGE ENFORCEMENT
COMMUNITY RELATIONS COMMISSION

DARNELL E. INGRAM, Director
7 E. Redwood Street, 9th Floor
Baltimore, Maryland 21202

December 11, 2018

The Honorable President and Members
Of the Baltimore City Council
Attn: Natawna B. Austin, Executive Secretary
Room 409, City Hall, 100 N. Holliday Street
Baltimore, Maryland 21202

Re: City Council Bill 18-0308 – Community Relations
Housing Discrimination-Source of Income

Dear President and City Council Members:

Baltimore City's Office of Civil Rights and Wage Enforcement (OCRWE) has reviewed City Council Bill 18-0308. This bill seeks to amend Article 4 of the Baltimore City Code by adding a prohibition against unlawful discriminatory housing practices based on source of income (e.g., government or private assistance, rental housing program, vouchers, etc.). Given OCRWE is generally tasked with investigating and enforcing unlawful discriminatory practices in the city, this amendment continues in that work by ensuring equity for all to eradicate discrimination in housing based on source of income. Therefore, OCRWE enthusiastically supports this bill.

Arguably, the right to affordable housing is an inalienable right. This right goes to the personhood, dignity, privacy, physical security, and security of tenure (i.e., the right to reside in a place).¹ To secure that right, it requires community commitment and an effective government.² And this amendment does just that.

First, the use of vouchers or other monetary assistance programs for housing is an effective government strategy. Housing vouchers sharply reduce homelessness and other hardships.³ In addition, vouchers for homeless families cut foster care placements (which are often triggered by parents' inability to afford suitable housing) by more than half, reduce moves from one school to another, and cut rates of alcohol dependence, psychological distress, and domestic violence victimization among the adults with whom the children live.⁴ Secondly, the enactment and enforcement of this bill ensures that the community is committed to the cause of affordable

¹ Kristen D. Adams, Esq., *Do We Need a Right to Housing?*, Nevada Law Journal, vol. 9, no. 2, 2009, pg. 289-290, 292.

² *Id.* At 297.

³ Center on Budget and Policy Priorities, *Housing Choice Voucher Program: Oversight and Review of Legislative Proposals*, <https://www.cbpp.org/housing/housing-choice-voucher-program-oversight-and-review-of-legislative-proposals>. (December 10, 2018).

⁴ *Id.*

housing. This community commitment is ensured by the enforcement practices that Article 4 provides, which is a deterrence. Consequently, City Council Bill 18-0308 should pass to ensure that Baltimore residents' right to personhood, dignity, privacy, physical security, and security of tenure is safeguarded.

As OCRWE, Community Relations Commission, and other government agencies gather more metrics relating to source of income discrimination in Baltimore City, preliminary statistics reveal that a significant number of families that receive housing assistance have relocated from Baltimore City to other counties, which prohibit source of income discrimination.⁵ It has been noted by some data collectors that a possible reasons for these relocations are the success rate in which voucher holders are able to utilize their vouchers to live in the housing they choose without being ostracized. This is termed the "voucher success rate." Notably, the Howard County Housing Commission reports that its voucher success rate is over 90%, but in Baltimore, our success rate is around 50%.⁶ This means that only half of voucher holders in Baltimore are successful in renting the housing of their choice. The Howard County Housing Commission indicated (based on the statistics available before and after the passage of their source of income legislation) that much of their success is due to their anti-discrimination ordinance.⁷ Similarly, Bill 18-0308 should increase Baltimore City's voucher success rate, thereby, safeguarding equitable housing rights for all.

According to HUD, persons most effected by source of income discrimination are single mothers, particularly, Black and Hispanic mothers, and disabled persons are a close second.⁸ Thus, discrimination based on source of income has an intersectional disproportionate impact on individuals due to their race, national origin, familial status and disability, which invokes the Fair Housing Act. With the rapid increase in housing development taking place in Baltimore City, and the potential lack of affordable and subsidized housing being set aside in these development projects, providing individuals an opportunity to live in housing of their choice, regardless of their source of income, is important to ensure that they participate in Baltimore's growth in which all residents have a right to reside.

Whether the government is footing the bill for, or an individual is paying for, his or her rent, no landlords in Baltimore City should have the will to turn a person away based on his or her source

⁵ See data gathered by the Department of Housing and Urban Development (HUD), the Baltimore Regional Housing Partnership, the Howard County Housing Commission, the Howard County Office of Human Rights, and the Montgomery County Office of Human Rights

⁶ Study on Section 8 Voucher Success Rates: Volume 1 Quantitative Study of Success Rates in Metropolitan Areas. U.S. Department of Housing and Urban Development Office of Policy Development and Research. (December 06, 2018).

⁷ Information provided via email by Peter Engel, Howard County Housing Commission. (December 06, 2018).

⁸ Center on Budget and Policy Priorities: Understanding Housing Voucher Utilization and Success Rates, <http://nhlp.org/files/01%20Voucher%20Utilization%20Presentation.pdf>. (December 10, 2018).

of income. Not in the south, north, east or west of Baltimore City. Therefore, allowing our residents to experience personhood and equity within the city limits of Baltimore is essential, and this Bill protects that right. And so, OCRWE supports the passing of City Council Bill 18-0308.

Sincerely,



Darnell E. Ingram, Director
Office of Civil Rights and Wage Enforcement

cc: Mr. Myron Banks, Mayor's Office of Government Relations
Ms. Karen Stokes, Mayor's Office of Government Relations
Kyron Banks, Mayor's Legislative Liaison
Andre Davis, City Solicitor of Baltimore City
Raemond Parrot, Deputy Director of OCRWE