

**SB 530: The HOME Act -- Support
Testimony of Lisa R. Hodges-Hiken, Esquire Chair of the Housing
Committee,
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Baltimore Branch of the NAACP
Before the
Senate Judicial Proceedings Committee
General Assembly of Maryland
February 4, 2020**

Chair William C. Smith, Jr., Vice Chair Jeff Waldstreicher, members of the Judicial Proceedings Committee and honored guests. My name is Lisa Hodges-Hiken providing written testimony in support of SB 530 in my capacity as the Chair of the Housing Committee for the Baltimore Branch of the NAACP.

As you consider your vote on legislation to eliminate source of income discrimination against rental housing applicants entirely or with an amendment proposed by the private, market rate rental housing lobby, we challenge you to resist the urge to make good policy by compromising between what may appear to be value neutral interests. There is nothing value neutral about discrimination of any kind, in any amount, anywhere. Proponents of a 20% cap on the number of units in a rental property to which this legislation would apply, as good policy to avoid the unintended further concentration of poverty. Actually, they are proposing a discrimination allowance where a landlord could use housing voucher assistance, alimony, child support, disability benefit or other non-employment based source of income as a reason not to consider an otherwise valid rental housing application for 80% of its units.

In the case of voucher holders, most are people of color, disabled or special needs and landlords use rejection of vouchers as a proxy to discriminate against them. The Urban Institute's "Pilot Study of Landlord Acceptance of Housing Choice Vouchers,"¹ found that families using vouchers may screen up to 39 units to identify one potentially eligible unit. Landlords are more likely to miss appointments with voucher holders. These practices contribute to the burden on families using vouchers and lead to a sense of hopelessness. Laws prohibiting discrimination based on source of income with language specifically calling out vouchers reduce landlord denial rates for voucher holders. These laws also reduce the ability to legally discriminate against minorities, disabled and special needs persons.

Proponents of this discrimination allowance argue that without limits to equity and fairness there will be a concentration of poor folks flocking to areas already overburdened with poverty. Jurisdictions across the country that have enacted source of income protections show that the opposite is true. In a 2014 study examining whether voucher holders in jurisdictions with source of income antidiscrimination laws were more likely to move to high poverty or low poverty areas, authors Freeman and Li found that low poverty areas with a larger white population became the neighborhoods of choice.²

When we as a society determine that providing rental housing assistance is a priority we should give equal weight to ensuring the usability of those resources. Ensuring every voucher holder will have access to quality housing units without discrimination will help to improve the health and welfare of our children and families.

¹ September 2018. <https://www.huduser.gov/portal/sites/default/files/pdf/Landlord-Acceptance-of-Housing-Choice-Vouchers.pdf>

² Freeman, Lance, and Yunjing Li. 2014. "Do Source of Income Anti-discrimination Laws Facilitate Access to Less Disadvantaged Neighborhoods?" *Housing Studies* 29:88-107

Baltimore's attempt to redress its history of robust housing segregation³ through inclusionary housing has failed. Passage of anti-source of income discrimination without allowances is a small step forward on this front, one that many of our peer jurisdictions have already taken. We need not again squander the opportunity to improve the lives of our most vulnerable residents simply by outlawing this form of discrimination.

Today, landlords can discriminate against rental housing applicants 100% of the time; if this legislation passes with amendment, they will be able to discriminate 80% of the time. Discrimination in any form, in any amount should not be allowed, access to opportunity should be supported with every tool available, and it is our job to ensure those tools are in good working order to achieve just outcomes.

In conclusion, I hope that this testimony has been helpful and respectfully request passage of Senate Bill 530 to ensure equal access to decent, safe, affordable housing for all.

Lisa R. Hodges, Esquire
Housing Committee Chair
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³ Garrett Power, Apartheid Baltimore Style: the Residential Segregation Ordinances of 1910-1913, 42 Md. L. Rev. 289 (1983) Available at: <http://digitalcommons.law.umaryland.edu/mlr/vol42/iss2/4>