



## AB 317 – Adding Source of Income to Nevada’s Fair Housing Protections– Bill request of the Nevada Housing Coalition

An equitable housing recovery for all Nevadans and future equity in economic mobility opportunities depends on a statewide ordinance prohibiting discrimination based on source of income. When individuals are denied housing based upon their source of income, they are inevitably forced into one of three harmful choices: paying extraordinary amounts of their income for housing, taking that income from other necessities such as food, health care, and medications; doubling up, couch surfing, or other unstable housing that has emotional and physical health impacts; or becoming homeless, living in cars, shelters, or encampments. Individuals who suffer these denials are likely to be among the elderly, the disabled, formerly incarcerated, and people of color.

There are a range of legitimate sources of income Nevadans have including rental assistance (housing vouchers, often known as Section 8), unemployment assistance, child support, Social Security Supplemental or Disability Income (SSSI or SSDI) and others that appear to be misunderstood by property owners and landlords as symbols of individual failure, rather than as recognition that the person’s circumstances have been evaluated and the individual deemed eligible for such assistance.

Requiring property owners and landlords to move past the practice of automatic denials to voucher holders or individuals with other legal sources of income will introduce them to the benefits of renting to individuals with these stable sources of income.

This bill will make the recently enacted emergency ordinance in Clark County<sup>1</sup> that prohibits discrimination based on source of income a statewide law.

### Why the Urgency Around Affordable Housing Access and Equity

- In 2019, over half of black and Hispanic renter households were cost burdened, paying more than 30% of their income on housing.<sup>2</sup> In the pandemic, these households have become more housing insecure and need stronger protections, including source of income, to access affordable housing options.
- Currently in Nevada, landlords can refuse tenancy to housing applicants simply based upon the applicant’s source of income (SOI), whether that is a housing voucher, Social Security Disability, or other public or adjudicated sources of income. 17 other states and the District of Columbia have enacted source of income protections including the neighboring states of Utah and California.<sup>3</sup>
- Rental assistance supports working families. Hundreds of thousands of Nevadans qualify for rental assistance, in the form of Housing Choice Vouchers, because Nevada’s hospitality and service dependent economy pay wages that have created a large class of ‘the working poor.’ 51% of non-disabled, working-age Nevada households receiving Department of Housing and Urban Development rental assistance include at least one worker.<sup>4</sup>
- Federal rental assistance helps struggling seniors, people with disabilities, veterans, and working families keep a roof over their heads, often by helping them afford rental units they find in the private market.<sup>4</sup>

- 59,000 people in 27,000 Nevada households use federal rental assistance to afford modest housing.
- 70% of those assisted in Nevada are seniors, children or people with disabilities
- Rental assistance helps 37,800 people in families with children in Nevada avoid homelessness. 17,180 Nevada children live in unstable housing.
- Rental costs have risen in Nevada with the median rent (including utilities) for an apartment in Nevada being \$1,110 per month in 2018, a 4 percent increase since 2001; median renter household incomes have seen a 9% decrease since 2001.<sup>4</sup>
- Landlord refusal of vouchers is more common in jurisdictions without source-of-income protections as noted in the largest, most comprehensive test of voucher discrimination conducted to-date.<sup>5</sup>
- When Housing Choice Voucher holders cannot find landlords that will rent to them, those federal dollars are lost to Nevada.
- When voucher holders are denied the opportunity to rent near their places of work, near public transportation, or in school zones where their children can thrive, they are denied the opportunity to get ahead to the point where they no longer need housing assistance.

#### What this Bill Will NOT Do

- Enact rent control
- Prevent landlords from using suitable tenancy screening criteria (adequate income, no smoking rules, etc.) that are equally applied to all applicants
- Prevent landlords from enforcing tenancy rules
- Force managers of elderly-only or special services housing to rent to individuals who hold a voucher but do not meet those housing criteria

#### What this Bill Will Do

- Bring greater awareness of the benefits of renting to voucher holders (guaranteed rental income) to landlords who have not previously considered renting to voucher holders
- Prevent discrimination based on the prospective tenant’s source of income
- Improve utilization of Housing Choice and other federal housing vouchers allocated to Nevada, which increases the potential for more vouchers to be issued to deserving Nevadans
- Give Nevadans whose job was disrupted by the pandemic the opportunity to use unemployment assistance and stimulus income as legitimate sources of income for rent payment
- Enable custodial parents to have child support recognized as a source of income for rent payment
- Remove a barrier homeless and unstably housed people frequently experience in gaining safe, affordable housing

<sup>1</sup> Clark County Emergency Ordinance, <https://files.clarkcountynv.gov/clarknv/Housing%20Discrimination%20Ordinance%20Update%209-15-2020.pdf?t=1602105211762&t=1602105211762>

<sup>2</sup> Black and Hispanic Renters Face Greatest Threat of Eviction in Pandemic, Joint Center for Housing Studies of Harvard University, Sophia Wedeen, 2021 <https://www.jchs.harvard.edu/blog/black-and-hispanic-renters-face-greatest-threat-eviction-pandemic>

<sup>3</sup> Expanding Choice: Practical Strategies for Building a Successful Housing Mobility Program, Appendix B: State, Local, and Federal Laws Barring Source-of-Income Discrimination, Poverty & Race Research Action Council, Updated November 2020  
<https://www.prrac.org/pdf/AppendixB.pdf>

<sup>4</sup> Federal Rental Assistance Fact Sheets, Center on Budget and Policy Priorities, 2019  
<https://www.cbpp.org/research/housing/federal-rental-assistance-fact-sheets#NV>

<sup>5</sup> A Pilot Study of Landlord Acceptance of Housing Choice Vouchers Executive Summary, Submitted by Urban Institute, Prepared for U.S. Department of Housing and Urban Development, Office of Policy Development and Research, 2018  
<https://www.huduser.gov/portal/portal/sites/default/files/pdf/ExecSumm-Landlord-Acceptance-of-Housing-Choice-Vouchers.pdf>